

A
TRUE
AND
FAITHFUL
Narrative,

Of the Unjust and Illegal Sufferings, and
Oppressions of many Christians (Injuriously, and Injudiciously call'd *FANATICKS*, holding all the Fundamentals of the Christian Religion, Believing all the Articles of the Christian Faith; and whose Lives and Conversations are as Consonant, and Agreeable to the Laws of God as theirs that Persecute them) under, and by several of his Majesties Justices of Peace, and others, who are no Officers, but Informers, in the County of *Devon*, since the Tenth of *May*, 1670 from a pretended Zeal, to put the Law against *Conventicles* in Execution.

AS ALSO,

Of the most Malicious Prosecution of Nine Innocent Persons, to take away their Lives, under a False pretence of Murdering an Informer: And of the Tryals that were betwixt *Matthew Hele*, of *Halwel*, in the Parish of *Pool*, *William Bastard*, and *Garston*, in the Parish of *West-Alvington*, Esquires, and Mr. *Edmund Reynel*, and *John Bear*, (Called by a Nick-name *Cocky Bear*) Two Informers for pretended Neglects, of putting the Act against *Conventicles* in Execution, and the hard Measure they met with from the Judge; with the Horrid Perjuries of the Witnesses brought against them, at the *Affizes* held at *Exon*, in the County of *Devon*, April 1671.

Printed in the Year, 1671.



R E A D E R,

IT is not necessary, that thou should know who hath Compos'd, and Published, the ensuing Narrative, I shall only thus Characterize him to thee, that he is an Enemy to none that is a Friend to the Lord Jesus Christ, and his glorious Gospel; that he doth not value men by their most splendid Profession, but serious practice of Religion; not by Religious Notions, but by a Religious Nature; not by being of a Party, but by the practice of Piety; not by a hot intemperate Zeal, either for Negative, or positive Superstition, or the slender Circumstances, but the Vital parts, and substance of Christianity. He loves, esteems, and prefers an Episcopal person, that's a strict, and close walker with God, whose Life is consonant, and whose Actions are correspondent to that compleat and perfect Rule, which Divine Laws do constitute; before a prophane Presbyterian, or Independent, &c. and a Pious, Painful Conformist, before a loose and lasie Non-conformist, when he knows it is so, though he must confess according to his Observation; the latter are not generally so morally Criminous, and Peccant as the former. He heartily desires, that in these three Nations, all were of a pacate Spirit, and peaceable Deportment towards each other, and that every one were dispossess'd of a censorious Devil. And as he doth not think any form of Civil Regiment, to be of Divine Right, so he can Honour, and Pray for the Governments that God doth set over us; and though he earnestly desires that all may answer the end of Government, which is the Advancement of the Common Good (this being the will of the Universal Rector, as his Supream Law, or Rule in Politicals) and that every Law of theirs may be Congruous, and not contrary to the Laws of the Supream Monarch, and highest Legislator; and that all may have their Foundation in Right Reason, and common Equity, which may make their Obligation unquestionable, and give the *Essē* of a Law indeed to them; yet when they are not so, though he cannot yield an *Active Obedience* to them, yet he can a *Passive* Subjection to the Magistrate that makes them; distinguishing between the Authority of his Laws, and of his Person, so that though he judgeth not the former Obliging to his Conscience (or to speak as properly that his Conscience binds not to such Laws) yet he doth the latter to his outward man, to keep it from resisting when Punished, though he could avoid such Punishment by Resistance.

He wisheth that the Smiles, and Favours of Royal Majesty, may be as a soveraign Balm, to heal those many Wounds that are now made in our Body Politick, that it may at last be reduced to an *Eucrasia*, or a Sound, and healthful Constitution; but if that cannot or must not be, he equally desireth, that they who feel the Smart, that Sigh, and Groan under the Anguish of them, may be of a Sedate Spirit, and to be perswaded unto a patient Tolleration thereof; till the chiefeſt Phyſician by his Infallible and unerring Willdom,

contrive and provide a remedy that may infallibly, and with irresistible *Energy*, effecteth the Cure.

He will not charge it upon any of our *Legislators*, that they have made unreasonable, and Unjustifiable Laws, to be as Swords, and Spears to make these deep and dangerous Wounds; to *Vulnerate* almost *Mortally* the greatest part of the Political Body, to gratifie a few Members thereof; but he asserts that an illegal execution of Laws, makes these fresh-bleeding Wounds, which the ensuing Narrative will present to thy View, and which I hope, if thou beest but either a truly Pious, or Right Noble, and Generous Soul, thou cannot look upon without pitty, and a compassionate *Resentment*. Not only Piety but Generosity is productive of highest Compassions, and Commiserations. I hold it more Eligible by far to fall into the hands of a man, that hath a Soul bravely *Impregnated* with that principle (supposing him to want the other) then of him; whose Soul was scarce ever Elevated, and raised a Degree above a Dunghil, who Lives and Acts as if it were but the very Origin, and Off-spring thereof, knowing, and affecting nothing but Sordidness, and Baseness, such a one is most Insolent, Insulting, and Domineering, Proud, and Scornful, when he hath power, most Incommiserate, and Incompassionate, when others stand to his Mercy, and he sees he can Tread, and Trample upon them, he is most Revengeful when he hath an opportunity, which he is ever greedily waiting for; and what ever is Indecorous for a man to do, or unbecoming Humanity, that will he do; or hath still an innate habit, or principal constitutional with him, to act him thereunto, which will break forth, and shew it self if not curb'd, or restrain'd by some forraign force, or external power; for this reason, it's always better to have a truly Valiant Person for an Enemy, than a Coward, because if he Conquer, he will very tender of spilling Blood, unless there be an absolute Necessity that compels him to it. If therefore this Narrative can but have the Honour, and Happiness to kiss the Hand, and be Viewed with the Eyes of any truly Generous Spirit (which hath such a Law of Nobleness Enthron'd in it, as I am sure it cannot Violate) what ever persuasion he be of, I know he cannot but highly disdain the Actings of some, and pitty the Wrongs, and Oppressions of others.

Why should not Sufferers hope? Our King is of that Manly, Milde, and Compassionate Temper, that if he did but Read, and had but a right Information of such things as are contained in this Narrative: (But alas! There are too many which endeavour a prevention of their access unto, and arrival at his Ears, and Eyes, or represent them in a false Glas; and this is many times the *Misery* of *Princes*, and a considerable cause of their Miscarriages in Government, that they cannot hear with their own Ears, from those that would give a right Information and true state of Persons, and things; nor see with their own Eyes what is needful to be Exposed to the View, and lye open to the Observation thereof) but he would endeavour some speedy Relief for the Oppressed, if not grow Big with *Royal Indignation* against the Oppressers.

I shall not much concern my self, whether this Narrative be Grateful, or theretofe to the Reader, seeing it's composed of Truth; for what I have Collected, and Published, I have done it with awful Apprehensions of the severe Inspection of God's All-seeing Eye; and therefore would not wilfully,
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and wittingly send abroad Falshood to Travel in the World, neither would I deviate or vary from Verity in the most minute, and Inconsiderable Circumstance : But if I should, as possibly I may, yet I hope I shall be pardoned by the Candid Reader, and that he will become an Advocate for me (seeing the best, and truest Historians are Obnoxious to such mistakes) so long as the Substance is true : Which take as followeth.

May the 29th. 1670, Mr. George Reynel of Malton, in the Parish of Sherford, Devon (now a Prisoner in the Kingsbench) one of his Majesties Justices of Peace (though a sufficient disturber thereof, of which you have some signal Instances in the following Narrative) being informed by some *Infamous* fellows (employed for that end) that there was an Assembly of People at Mr. John Hicks his House, (a Non-conformist Minister) in the Town of Kingsbridg, came thither about Eleven a Clock in the Forenoon, attended with divers Persons (most of which are well known to be Lewd, and Debaucht) and most furiously attempts to Break open the Street-door, with an Iron Bar, or Sledg of Iron, which not being able speedily to do, his Brother, Arthur Reynel, goes to the Back-door, which being open, he enters, and hastens to the other, and not finding the Key in the Lock, begins to Curse (judg'd by some a minute Crime in comparison of Praying, and Preaching the Gospel) in this manner, the Plague take you, throw too it ; but the Key being speedily found, the Door was opened to the Justice, and his Attendants ; who without delay, having entred the House, presently ascends to the Chambers (leaving his Brother Arthur and some others below) and enquires for the said Mr. H. being supposed, but not proved, to have Preacht ; whom not finding, most unbecoming a Gentleman, and a Justice of Peace, before his Wife, Reviles, and Calumniate, calling him then, and at the Tavern after, *Rebel, Rogue, Rascal, Town-Bully, whore-Master, Bastard-Maker*, &c. Then he above, and his Brother below, begin to take the Names of the People whom they found there ; but in vain was the Assay, for both their Hands Trembled so much (which was Obvious to the View and Observation of many Spectators, who are ready now to Attest it) that they could not scarce write one Name, and so were forc'd to desist. What was Productive, or Causative of this *Paralytical Distemper*, I leave the Intelligent, and Impartial Reader to Judg. Yet notwithstanding, the said Justice (as if he would attempt a Conquest over the Terrors of the Almighty, and would Baffle, and Stifle the Conternating Convictions of his own Conscience) proceeds May the 30th. to a Conviction of several Persons to suffer, as he pretended, according to the Law made against Conventicles. First then, though no Minister was found, nor could it be prov'd that there was any, muchless that Mr. Hicks, or any other Minister did either Preach, or Teach (which is the Crime that Incurs the penalty of Twenty Pound) yet he Levied Twenty Pound upon the said Mr. H. for Preaching, and issues forth his Warrant to the Constables of Kingsbridg, to take Distress upon his Goods (he judging and declaring him upon the sight of his Household Goods the Sabbath-day, sufficient to satisfy the Law) but he refusing to open his Doors, the Justice then against Law, transfers the Penalty from him, to some of his supposed Hearers ; and amongst the rest, he Levieth Forty Shillings upon one Roger-Baker, who was not the Lords-day before at Mr. H. his House when the Justice came, and

though he made his complaint to him of the wrong done him, yet he would not relieve him: Twenty Shillings he *Levieth* upon *Thomas Cole*, of *Kingsbridge*, who refusing to pay it, he (as if he ~~has~~ been too merciful, and compassionate before) adds Fifteen Shillings more to it, and commands the Constables to *Destrain* thirty Sheep for it; which is a most horrid Oppression, and highest Injustice, contrary to all Law: As the 51. *Hen. 3.* which saith, *That Distresses must be reasonable, after the value of the Debt, and Demand.*—52. *Hen. 3.* Which saith, *That Distresses shall be reasonable, and not too great, and he that taketh great, and unreasonable Distresses, shall be grievously amerced, for the Excess thereof.* So 28. *Ed. 1.* 12. Forty Shillings further he *Levieth* upon *Christin Collings*, who finding himself Agrieved, makes his Appeal according to Law: And now the Injustice, and Oppressions that he met with at the Sessions, may be Read. First, when he came up with Witnesses to prove several things of Moment, and had been at great Charges, he was not suffered to Travers his Appeal, but (as if on purpose to Oppress him the more, and because there could be no Witnesses then got to prove he was at Mr. H. his house) made to enter into new Recognizance to do it, the next Sessions after; which when he came to do, he found Justice stood afar off, and Equity could not enter; for there Judgment principally past upon the Evidence of an Ignorant Fellow, who Swore he saw him in the said Mr. H. his House, and when it was demanded at what time, he reply'd, in the Afternoon, and yet the pretended Conventicle that Mr. *Reynel* would Convi^{ct} of, was in the Forenoon; and though it could not be prov'd that Mr. H. did at that time either Preach or Teach, yet was the said *C. Collings* adjudg'd to part of the Twenty Pound, besides the Treble Cost, which was screw'd up to the highth. The most that could be Attested, was that the Voice of Mr. H. was heard; and yet he that did Swear this, was at that distance from his House, that it rendred it very difficult either to hear the Voice of a Man, or so as to distinguish betwixt the Voice of one man, and another; and impossible to know whether it were the Voice of one Praying or Preaching, by the most open and attentive Ears; yet this was Valid and Authentick enough, to prove that there was Preaching. But as I have heard of a man that was usually of the petty Jury, for Life, and Death, in the County where he lived, and when Evidence was not clear to the Jury of a Felonious fact, would still say, let us hang the man at a Venture: So were most of the Justices at the Sessions, and the Jury (which is usually according to their hearts desire) resolv'd to do with *Christin Collings*, to make him pay part of the Fine, whether there was Preaching, yea, or no. And this hath been their practice from Sessions to Sessions, as shall by several following Instances be prov'd.

Before the next Sabbath, Mr. *Reynel* left the Country, but his *Setters*, or *Informers* continue in it (whether they were Volunteers, and Spontaneous Actors, or stir'd up by him to this *Illustrious* work, and *Honourable* employment, I shall not determine) who the ensuing Lords-day were very Active, Sedulous, and Industrious to discharge the trust reposed in them after sometime therefore spent in Hunting, they, *Scent* a Conventicle near *Surley Butts*, in the Parish of *Walthamington*, to which with great Celerity, and Speed, they hasten, and *John-like*, drive most furiously, lest they should miss of their Game, and Prey:

Prey : The considerable Circumstances of which Actions, are as followeth. First, the number of Persons engaged therein, which were about Fourteen Horse and Foot. Secondly, their Quality, one or two of them Gentlemen (in that Common, Absurd, irrational Notion, and Acceptation of a Gentleman among us, that is one descended from such an Ancient, dignified Family, when there is a Degeneration from all the true Noble Accomplishments, and behaviour of Gentlemen ; and a total, and shameful Laps from all real Verue, that true Gentility is the Genuine Off-spring of, which it gives its first rise, and being too, and which necessarily it must have its foundation laid in ; when he hath scarce a Rag, or Shadow of it left, nothing but Romantick Complements, Pedantick Postures, and Legs made with some Geometrical proportion) with one Mr. *John Bear*, who is now in a probability to be lickt into some form, and shape of Gentility, with *Thomas* and *Nicholas Foord*, what they take themselves to be, I know not ; but I think their Gentility will scarce pass for Currant Coyne in the Country where they live : The rest were the very Scum thereof, a meer *Catalines* Crew, whose Employment did exactly Harmonize, and Correspond with their Quality ; for *Durty Fellows* or most fit for *Durty* work. Thirdly, Their Condition, which is Necessitous (for the greatest part of them) a sufficient Provocative, and spur to these Heroick Achievements. Fourthly, The Head of this Informing Party the abovesaid Mr. *John Beer*, or *Bear* (as he writes after his *Grand-father*, the *Old Committee-man*, who Usurpt, and Assum'd the Name of *Bear*, which is the Name of another worshipful Family in *Devon*, to dignifie his own with) of *Woodmason*, or *Bearscomb* (as the *old Committee-man* denominated it from his *New Name*, *Bear*) near *Kingsbridge*, this New-stamp'd Gentleman, was the Captain of, and had the honour to Conduct this Peerless Party, and Squadron : Of whose *unchristian*, *Ingenuous*, and *Disobliging* deportment among his Neighbours, with many of his *sordid Actions*, you shall have a further and fuller Account. Fifthly, The manner of their coming which was with *ursine* Rage, *Bellvine* Fury, *Impetuous* Insolency, Beating a Youth in the way, whom they supposed gave warning to the People ; to whom in a most outrageous manner, at first they approach, their Renowned and Gallant Leader, Mr. *John Beer*, or *Bear* (but let us not deny, or grudge him the latter name, it being so Congruous to his Nature) his first Salutation being : Where is that *Damn'd Rogue*, (meaning the supposed Minister) others of them cried out, *Ride for your Lives* ; which they did without any respect to the People in the way : And such were their rude *Vociferations*, and *Exclamations*, with their most foul Calumniation. that well might any have judg'd some *Bedlam*-madness to have possess'd them, or that they were some *Tartarian Troop*, brought by an Invisible hand thither. And when they could not find the said Minister, Mr. *John Bear*, Retreats ; and Advancing towards several Gentle-women (whose Virtue and Modesty, is well known, and acknowledg'd in the Country where they live, by all, but those that have respect for, or value neither) begun Prodigiously to Curse them, after this manner : *The Plague take you, what have you done with Hicks ?* And then adds to it, *Swearing by the most Sacred, and Terrible Name of the Supream Majesty : You have hid him under your* ——— The rest of his words being so Obscene and Filthy, I shall break off with an *Aposiopesis*.

George Bear, the younger Brother, coming to a young man, demands of him Ten Shillings; who mildly Replied, Do you want Money? Whereupon the said *G. B.* spurs up his Horse with much Fury and Fierceness against him, but (as if he were sensible of the Inhumanity of his Master) he denies Obedience, and Recoys; then *G. B.* commands one *Lucas* his Informing Brother (a Fellow of vast Dimensions) to Beat him, with these words; *Beat the Rogue*; who presently with a great Cudgel, most furiously and forcibly, gave him several Blows upon his Head, bruising it very much, and in all probability had he not kept on his Hat, his Life had been endangered: Yet the other took his abuse very patiently, making not the least resistance. *Tho. Ford*, a most buisie and active Informer (having his Soul impregnated with such principles of matchless Magnanimity, that one might suppose there was now a clear demonstration of the *Metempsychosis* of Souls, that some *Hectors*, or *Scanderbegs*, had transmigrated into his Body) with most *Heroick*, and *Invincible* courage, chargeth three young women, commanding them with most fierce Looks, and the Rays of highest Valour, sparkling through his sprightly Eyes, to stand for their Lives, Minacing, and Threatning most formidably, that he would run them thorow, if they would not tell where *Hicks* was; the words were so like *Thundering* and *Lightning*, that they were struck into *Consternation*, and some of them through fear *Fainted*, and fell down: If *Ne Hercules contra duos*, What a rare Son of *Mars* was here, that durst Encounter with three at once. Certainly an Army of such men would have been signally Serviceable to his Majesty, when the *Dutch* came first up to *Chatham*, when all the *Sons of Bacchus*, and *Venus*, gave a clear Demonstration by their *Pannick* fear, how little of *Mars* was in them; no doubt if he had been then Employ'd, he would have merited Immortal honour. And to conclude this, when these Informers were together, nothing could scarce be heard but whole *Volleys* of *Oaths*, with a most execrable Eruetation, and Evomition of Curses, insomuch that one would have thought *Infernal Spirits* had made use of *Corporal Organs*. Some of them were (as the two Informing Bears) upon Conviction by Mr. *Bastard*, of *Garston*, punisht according to Law, for Swearing.

June the 12th. these Informers, with fresh *Auxiliaries*, and an Addition to their Number, in a very Hostile manner, came into the Town of *Kingsbridge*, and when they were near Mr. *Hicks* his House, they drew their Swords, to the Terror of some of the Inhabitants that were within view thereof, and then hasten to his Hou'e to beset it; the better to effect which, they violently, and furiously, broke open his next Neighbours Street-door, and then some of them run thorow his Entry, and Garden, and Leaping over the Hedg, came to Mr. *H.* his Back-door, that they might forcibly keep in the People (which they supposed were there) till a *Justice of Peace* came, and Apprehend the said Mr. *H.*; which a few days before, one of the Informers (and that *George Bear*, if I mistake not) said Fifteen of them had engag'd to the Bish'p of *Exon*, to do. Now let the Reader know that these Informers came (as they did the Sabbath-day before) thus Arm'd with Swords, and Pistols, without any Warrant or Authority from any Justice of Peace, and without any Officer with them; the People therefore knowing there was no Authority to Restraine, and Deprive them of their Liberty, resolv'd to go out at the Back-door, were they found

one *John Lucas*, a Carpenter, with a Pistol in his hand Cockt, and presented to them (which *Lucas* was bound to the Peace, or Good Behaviour, for Beating the man the Lords-day before, of which an Account is given) yet thus they Arm him; when the Pistol was first given him, he quickly and speedily, run to the Back-door of Mr. H. his House, and then returning hastily again, cry'd out to his Informing Brethren, *Tonder are the Rogues*: But then said, *what shall I do with this Pistol, there is nothing in it*? Upon which words, one of the Informers was seen to deliver him something, which he put into the Pistol, and hastet towards the Back-door again, saying; *Now I am fitted for the Rogues*: And when he stood at the Door, he was further heard to threaten, that he would Pistol those that came forth; which caused two of the Company (*viz. Nicholas Huxome, and John Leech*) to disarm him, to prevent his doing Mischief (for he that had beaten one the Sabbath before, might kill another now) which when they had done, several of the Informers came, as Mr. *John Bear*, his Brother *George*, the *Valiant Tom Ford*, &c. to justify him in breaking of the Peace, and with drawn Swords, and cockt Pistols, they pursue some Persons, threatening to kill them: One of them set his point of his naked Rapier to the Breast of a Woman (who saith, she thinks it was *George Bear*) uttering Bloodily, and Earbarously these words: *Thou impudent Jade, or damn'd whore, I could find in my heart to Run thee thorow, and if I should do it, I should do God good service*. The said *George Bear*, set the point of his Rapier to the Breast of *Nicholas Huxome*, and Swore he would Run him thorow. Likewise *Walter Campion* (of whole prodigious Perjuries hereafter) a Blacksmith in *Dadbroke*, near *Kingsbridge*, Seised a young man in the Street (who had been long Sick before, and had Recovered a little strength now to come Abroad) and commands him to go along with him; which he refusing to do, he forcibly Drags him along; the other demanding a Warrant of him for so doing, he took a Pistol out of his Pocket, and told him that was his Warrant, threatening no less than death to him. Another of them highly and terribly threatned a young Woman, bruising her Arms by a forcibly Hailing, and Pulling her along, whereby she was much Affrighted, and whereof she much complained. These are some of their brutish Carriages, and savage Actions at that time. After which, *John Lucas* (who was disarm'd) to be reveng'd, accused several for beating him, whereof *William Gilbert*, of *Kingsbridge*, was one; accordingly a Warrant was granted by Mr. *Hale*, upon the Oath that the said *Lucas* had taken, to Convene the said *W. G.* before him; who when he appear'd in obedience to the same, *Lucas* acknowledged he was mistaken, after he had thus sworn against him. When the Sessions came, *Lucas* who was Bound over to them, makes his Appearance; but the Judg of the Sessions, Mr. *Carew*, would take no notice of his Breaking the Peace, but shamefully Acquits him, Justifies him in what he did, highly Countenances him; the Clerk of the Peace refused to take any Fees of him, whereby all Encouragement was given him, and the rest of the Fraternity, outrageously to Abuse at their will and pleasure. such as are called *Conventiclers*, and *Fanaticks*; and though this was so Notorious a Riot, according to the Laws of England, yet the least Notice was not taken of it. Had a Heathen seen with what Partiality, and Favour towards one Party, all things were managed, and with great Rigour, Injustice, and Cruelty towards the other (that is, those whom *Lucas*

falsly accused for beating him; and one *William Marsh*, as wrongfully, for speaking some Seditious words, whom *Mr. Carew* would not give any time to provide Sureties for the good Behaviour, but Commanded with a most stern Countenance, and in a most wrathful manner, which shew'd how much his Heart was fill'd, and envenomed with Envy and Malice, the Jaler presently to take him) he must needs have Cry'd out, that certainly Christianity Eradicates, and destroys common Equity. Here the very Scum of the Countrey, the most abject Fellows, and Drabs of Mankind, were by *Mr. Carew*, suffered to Taunt, Vilifie, and set at naught some Justices upon the Bench, as *Mr. Hale*, and *Mr. Ballard* (being lookt upon as Favourits of Fanaticks, and because they would not Oppress their Neighbours; but more concerning them in the subsequent part of the Narrative) as if they had not been worthy to wipe their Shoes: No Check, or Controul was given them, but all was heard with much seeming delight, and Complacency. Here every Informer was suffered to talk, as if he had been a Justice of Peace, or a Person of greatest Honour. Among the rest the Magnanimous *Tom Ford*, taking his place upon the Bench, aloud askt *Lucas*, if he wanted any Money, he should have enough: And because *Lucas*, after he had taken a positive Oath, that *William Gilbert* beat him, acknowledg'd his Errour. *Tom Ford*, in open Court, aloud, further told him (that he might be sure not to Err the second time) that if he that Beat him had Black Hair, then it was *William Gilbert*, but if he had Yellow Hair, it was *Richard* his Brother (as if Black and Yellow, put a Characteristical difference betwixt them, and all other men) whereupon *Lucas* at a venture, swore it was *Richard* that beat him, which was notoriously false; and this desperate Oath was taken, and the said *Richard* was Bound over to two Assizes, of which there is yet a fuller Narrative to come.

Two Lords-days more, viz. *June* the 19th. and 26th. these Informers hunt eagerly, but could find no Game, till *July* the 3d. when *Mr. George Reynel* was return'd into the Countrey, and then to work they go Early in the Mourning, having the fresh Scent of a Conventicle in their Noses at *Liuckham-hill-head*, near *Salcomb*, in the Parish of *Malborough*, thither therefore they repair with all the strength they could make, being about Twenty, or Thirty Horse and Foor, Arm'd, Swearing they would have *Hicks* if he were above ground: As they were going to the place, they overtook a Young-man of *Kingsbridge*; of whom *Mr. Reynel*, demanded where the Meeting was: He replied, He knew not (as he did not the particular place) and then leaves the Lane, to go into a Field, which *Mr. Reynel* seeing, quickly Dismounts, and ran after him; whom overtaking (most well becoming a Justice of Peace) he Beat him with his Horse-whip, the Stripes whereof left their Marks and Prints behind them upon his Back, and Shouldiers. When they came near the place, where they supposed the Meeting was, they divided themselves into two Squadrons, thinking by that means to Encompass the Minister, and People, and take them all in a Net at once, but when they came, they found only some few in the Circumjacent Fields; then they Rode fiercely about, being most Impetuous, and Eager in the Chase, and Pursuite of *Mr. H.* (though he had stolen neither Gold nor Silver) *Mr. Reynel* offered Ten Pound, or a good Sum of Money to one man, if he would discover where he was, and demands of another to tell him, who
being

being silent, he either ordered, or suffered one of his Attendants (I think his own Servant) to Beat him, which was Inhumanly done, with a Cudgel : Then meeting with a third Person, who upon demand, refused to make Discovery of Mr. H. and being unwilling to go along with them, one of the Company (whether by the Order of the Justice, or no, I cannot certainly tell) Knockt him down, and then two of them, whereof the Perjured Companion was one ; drag'd him along several Paces like a Dog, by the Heels, which put the man to great pain (he having not long before broke his Leg) which Extorted outcries, and complaints from him, a young Woman being near him, bid him be of good comfort, and not fear, for God would be with him (or words to that purpose) this wretched Champion hearing her say so, endeavoured to bring her into trouble : Saying to the Justice, *Hark what she saith ?* She saith the Devil is with us, and God is with them ; but some of their own Company witnessed the truth, and contradicted him : Then saith he, if she said not so, she meant so. Then after they had spent two or three hours in making a diligent search in Fields, Houses (some whereof they violently broke into, without demanding any entrance, or having a denial given them) Orchards, Gardens, &c. for Mr. H. and had wearied out themselves they depart ; but Conviction was made of a Conventicle. Twenty Pound is Levied for Preaching, though it could never be proved ; many did suffer, though they never knew their Accusers, which is usual ; and commonly there is no other Evidence to ground, and bottom a Conviction upon, but what is given by Informers. And how Unreasonable, Unwarrantable, and Illegal this is, let all Englishmen, yea, and the world judg, seeing they are Parties to much concerned.

Now Mr. Bear (the Head of the Informers) expects some considerable Reward for his good Service done his Majesty, and the Church, as he accounts it, he writes therefore to the Bishop of Exon (as he had done sometimes before, declaring his several Services for the Church, his Endeavour to bring to Condigne punishment all dissenters from her) to acquaint him he had now done what he could in that single Capacity he was in, hoping to arrive at some higher pitch of Honour ; the Merit of his Zeal, and illustrious Atchievements, in his own esteem, challenging no less than the reward of being made a Justice of Peace : Which if he were invested with the Authority of, he promiseth him with what Vigour, and Activity, he would Ruine, or Reduce to due Obedience, the Churches Energies. The Bishop perceiving him to be a Prompt and Active Young man, to promote the Hierarchical Interest, and having had Ample experience of his learning to stick at the breaking of any Law, or committing the foulest Riots to advance the same. He had no reason to suspect his Cowardise, if he could get him Advanc'd to a Justice-ship, in adventuring Soul, Body, Conscience, Estate and all, for the preservation thereof. He therefore bestirs himself to get him into the Commission of Peace, which after much difficulty by the Arch-Bishop, and the Earl of Bath, he effected. One might indeed have thought, that in good time there would have been a probability of his Advancement to the Degree of a Hundred, or Head Constable, but few or none judg'd him worthy of a higher Dignity, considering the Inferiority of his Quality, the Inconsiderableness of

his Estate, being as his Neighbours (that know it well) affirm, at the utmost but 200 Pound *per annum*, out of which he pays his *Father*, his *Brother George*, and two *Sisters*, such Annuities, that he cannot have much more than 60 pound *per annum* to maintain, and support the *Grandeur* of a Justice. Its known likewise he is Indebted, being a Borrower of Money; How fit is he for his present Preferment, and capable of such an Advancement, let all true *English* souls judg? I know no other reason why his *Fellow-Justices* so much scorn and disdain him, why none of them, nor any other *Gentleman* at the chief *Sheriff's* Table the last *Assizes*, thought him worthy to be Drunk to; which was but *poore* Sauce, I believe, to his sweet Meat, and enough to hinder the good Concoction thereof. But however, though he that was so lately the *Head* of the *Informers*, be now lookt upon but as the *Tail* of *Justices*, yet he is resolved to make his Neighbours, and the *Fanatics* to know his Authority; forthwith therefore he begins to display its powerful Beams, the scorching Heat whereof, he makes the Conventiclers sufficiently to feel, but *Excentrick* to all Law, as the following Instances will most clearly Demonstrate.

To begin then with his first Conviction of a Conventicle held at *Linckham-Hill-Head*, the 26th. of *July*, 1670. which he exprest in his Warrant to the Constables for Distress. was grounded upon the Oaths of two or more Witnesses, but who these were is unknown; no Person being Convicted in the presence of his Accusers, nor Summoned to appear before his Worship, to hear what was Evidenced against them, or what they could plead for themselves, till the Warrants were granted for Levying Fines, to the Value of Twenty Four Pounds Ten Shillings, upon six Persons by Distress, without making Demand of the Money. Besides several other Distresses, that I forbear to mention, which the Sufferers groan under, they being so Unreasonable, and their Goods sold so much under Value. Also, they were able to prove themselves elsewhere the 26th. of *July*, which when Mr. *Beer* understood, he gave the Constables new Warrants to keep the above-mention'd Sums for the 3d. of *July*, commanding them to return the Money to some whose Goods they had taken, and under-fold: The Constables therefore of *Kingsbridge*, bring to Mr. *John Hingston*, Seven Pound Ten Shills, which was Levied on him: He told them they had no Money, but Goods from him, which if they would bring back again, its likely he might receive them; whereon one of the Constables threw down the Money on his Table, and the other carht it up by a second Warrant, he not receiving it, and the first Warrants Mr. *Beer* hath since forced from the Constables.

Another Conviction of his was as followeth: Mr. *Tooker*, a Non-conforming Minister, living in the Parish of *west-Aleington*, in the County of *Devon*, having three Gentle-women at his House on a Sabbath-day (who visited his Wife, being much afflicted for the death, by drowning at Sea, of her Son and only Child) Prayed with them, it being in the Afternoon when there was no Minister at the Parish Church; and while he was engag'd in this Christian Work, and Duty, come *Lucas*, *Campion Arnel*, with *Leech* (the Apostate, and *Julias*) all of the Informing Crew, with some others, and beset the House, to see that none should pass in or out, while they sent

for the Constables, and Church-wardens of the Parish, before whose coming, one of the Gentle-womens Servants came with a Horse to carry her home, but seeing the House beset returned again immediately; and when they came, the Doors were presently opened to them, who entering the House made a general search, the Informers assisting them, but found not one Person besides the three aforesaid *Gentlewomen*, and the Family; this highly discontented, and enrageth the Informers, because they missed of their expected Prize, and Prey. However, they said, this should not serve their turn, but they would make a Conventicle of the three Gentle-womens being there: Accordingly they immediately repaired to the *New Informing Justice Bear*, and acquainted him; that though there were but three Persons in the House besides the Family, yet there was a Servant of one of the Gentle-womens, who came Riding thither, and Mr. *Bevil Bastard* (who hearing that the Informers were there, came to the House to see what they did, although not until the Officers had searcht the House and were gone) with *Joseph Tripe*, who was then walking in his own Ground, where it was not possible for him to hear any thing that was spoken in the House, and the Informers were betwixt him and the House likewise, and this Mr. *Bear* judg'd to be *Notorious Evidence*, and *Circumstance of Fact* sufficient to make it a Conventicle; and accordingly the next Morning (without sending for any of the Persons complain'd of, to hear what they could say for themselves) grants his Warrants for Distraining of Mr. *Tooler* for 30 Pound, and *Joseph Tripe* for 10 Pound; the Officers of the Parish the same day, came to Mr. *Toolers* House, and the Informers with them, without being required, or commanded, who pulled and Tore down all the Goods in his House; and such was the Inhumanity, and Inhumanity of these *Rapacious Harpies*, and Voracious Birds of Prey (I mean the Informers) that they did not only Seize his Beds, and Bedclothes, but the poor Childrens Wearing-clothes, and the very Viſuals that was in the House, they left no Corner or Place they could find unsearcht, for Money; neither his Pockets, nor the Flesh-Tubs, Pigs-pailes, all sorts of Bottles, nor yet the very Close-stool (as if the evacuated Excrements of *Fanaticks*, could be converted into Coin, or were rich Bullion, however these *New-Gold-Finders* judg'd that something more precious, and Odoreferous a *Partepost* might drop from them, than other persons) ten Shillings they stole, but who was the particular person that did it, I know not; but this I know, that one of the principal *Actors* among them was *John Bear*, or *Beer* (who by a Nick-name is called *Cocky Bear* in the Countrey) a Cousin of the New Justices, that had sufficiently experienced the Pinches of Poverty, before he took up this most Disgraceful, Informing Trade, and now he with the rest, live upon the Spoyle of the Countrey.

Joseph Tripe, having his Goods restrain'd, immediately repairs to Justice *Bear*, and acquaints him that he was so far from coming to Mr. *Toolers* House, as that he shund and estranged himself from it (there being a Sute in Law betwixt him, and Mr. *Tooler*, upon her former Husbands account) and further prov'd, that he was within his House all that day, until that time that the Informers came, Mr. *Bevil Bastard*, and the Gentle-womens Servant

prove the same; upon which, Mr. Bear dismiss them, and set their Goods a Liberty (Mr. *Tookers* being much Spoiled, and Damnified) but he had not his Money again, which was stolen from him; and because Mr. *Tooker*, about half a year after, complained of the damage done to his Goods, and that he had reason to have Satisfaction for it; Mr. Bear grants a new Warrant to Seize all his Goods, and in case no Goods could be found, then to Apprehend his Person; which Necessitates, and Enforceth Mr. *Tooker* to Disperse his Family, and betake himself to a Wandering Life, to avoid his Implacable Wrath and Malice.

September the 11th. This *Gorings Crew*, or *Plunderers*, went to Mr. *Burdwoods* House (a Non-conformist) in the Parish of *Malborough*, where they found him singing a Psalm with four of his Neighbours, besides his own Family; and having a *Mastiff-Dog* without at the Door, he Barks at them, a Girl living near, perceiving this, sets on the Dog (it's likely understanding that though these were not of the same Species, or Kind with the Dog, yet that they were of the same Disposition) which the People of the House hearing, presently call off, and opening the Door to let him in, the Girl being affrighted, enters in too, and the Informers with her, even upon her Heels; and this Mr. Bear makes a sufficient Ground and Reason, to proceed on to a Conviction of a *Conventicle* (notwithstanding that one of the Informers did acknowledg, that the Girl went in when the Door was opened, to the Dog) he Levies therefore Twenty Pound upon Mr. *Burdwood* for his House, Twenty Pound more for Preaching, and Five Shillings for each of the rest. One *Chiswel* of *Kingsbridg*, *Black-smith*, owing Mr. *Burdwood* Three Pound, had a Warrant sent him from this *New Justice*, requiring him to detain the Money in his hand, which he through fear did; another Warrant he sent to the Constables of *Cornwoody*, for the Seising of an Estate which Mr. *Burdwood* had there, if they found it Chattel for Lives, or Years. April the 23d. of this present Year, *Leech* (the *Judas*) and *Arnel* his Brother Informer (two expert and considerable *Sitting Dogs*, that Mr. Bear is the Master of) Hunt about the Countrey for Game, both for their Master, and themselves, and at last they came to a Farmers house, in a Village called *Leigh*, in the Parish of *Modbury*, about Five or Six Miles distant, from the place where they live; and seeing some persons pass into the Farmers Yard (it being the Forenoon) one of them stops at the House to watch, the other went to call the Officers of the Parish, who came with all possible speed to the House, and narrowly Searcht it, but found not one person in the House, or about it, besides the Family belonging to it (and the truth is, the people only passed through the Court, and went to some other place, or about their Occasions elsewhere, while the Farmer was Praying with his Family) Nevertheless, the Consciences of these Informers were so prodigiously Debaucht, and Cauteriz'd, that they took their Oaths before Mr. Bear, and Mr. *Bruton*, that they saw a great number of persons go into the House, and that there was at that time a great Number there. Mr. Bear, who called his Neighbour Justice *Bruton*, to assist him (one ready enough for such an undertaking; which makes the *Fanaticks* in those parts, sometimes beholden to the rude Bayliffs.)

Goes out of his own Division to Execute the Law; comes therefore to *Mudbury* a day or two after, and makes a Warrant to this purpose, *That whereas they are Credibly Informed, that now there is a Conventicle at such a place, these are therefore, &c.* The Informers accompany the Officers to the Farmers house (this Lye being forg'd and fram'd to attain their end) and violently Break open the Doors (there not being one person within) and enters the House; which when they had done, the Informers shew'd the Officers another Warrent immediately to take Distress; to work therefore they go, and empty the mans House of all his Goods, leaving him neither Bed, Pot, nor Pan, Dish nor Spoon; they took away his Sider, and sold it for about Four Shillings a Hogs-head (as they did all other things at an under Value) and I hear likewise his very *Fewel*, which was for the Twenty Pound that was Levied upon him, by which the poor man is almost, if not utterly undone. Should I write all the unjust, and Illegal Actings of this (by an *Antiphrasis*) Justice *Beav*, it would make these few Sheets swell to a considerable Volumn: However I will Epitomize a few more before I have finished this Narrative, and bring them within as narrow a Compass as I can, that it may be known how much his Majesty is abus'd, and dishonour'd by such Oppressing, and empty Persons; who only prostitute Authority to Contempt, and Gratifie a single particular Interest, which will be found too narrow a Basis for our vast Structure, and too weak a Leg for our great and Bulky Body Politick, to stand long upon.

I have in the preceding part of this Narrative, told the Reader of Fifteen Informers (or very near the Number) who as *Volunteers*, Invaded, and Befet in a most Hostile manner Mr. H. his Houle at *Kingsbridge*, the 12th. of *June*, 1670. Among whom, there was one *John Lucas*, who stood at the Back-door with a Pistol, threatening to Kill any that come out, which was the cause why he was Disarmed, being bound before to the Peace, or good Behaviour, and deporting himself so Minaciously, without any Authority. This *Lucas*, in the Month of *December* last Sickned, and Died the beginning of *January*; when he was Dead, his Informing Brethren Mr. *Beav*, and the rest, threaten that some should suffer for Murdering him. Mr. H. the latter end of *August*, leaves the Countrey about Eighteen Weeks, and near the time that the said *Lucas* died, his Adversaries conjectur'd, he was returned in *Down*. They resolv'd to make him guilty of this horrid Murder, as they reported it to be (though while *Lucas* was well, and in health, he never Accused him for Beating, or Assaulting him at the time spoken of, or any time after) Justice *Beav* being return'd from the *Sessions*, presently enquires into the pretended bloody Fact. *Lucas* his *widow*, she swears before him (who was then the Head of this Informing party) that when he lay upon his Sick-bed, he said that Mr. H. came out in the Head of Threescore men (or near that Number) and Knockt him down, and that Eight persons more, *viz.* Mr. *Bevil Bastard*, Mr. *Henry Lube*, *William* and *Richard Gilberd*, *Merrigame*, *John Leech*, *Nicholas Huxome*, and *John Bowen*, fell upon him, and Beat him so cruelly, that he was never well after, but gradually Languisht, which was the cause of his Sicknes, and so of his Death; her *Father Kelland* (a Fellow that *Lucas* was heard to say, not long before he

fell

fell sick, would for a Groat betray, or take away any mans Life, or words to that purpose) Swears that when he was Stript, there were the Impressions of the Blows, which he called *Stripes*, upon his Back; this being done, Justice *Bear* grants forth his Warrants to Apprehend all these Persons upon Suspicion of Murder; they all yield themselves, but Mr. *H.* (who was not at home, nor hath been for many Months) Mr. *Bear* refused to Bayl them, though the Case will admit thereof, to the Goal therefore they must go; the *Mittimasses* of some of them were made, but two other *Justices* did Bayl them, either not being so *Ignorant* of the Law, or not so *Malicious* as himself, Now though this Justice and the rest of the Informers confidently Report, and Assert, that this was a most *Bloody*, and *Barbarous* Murder, yet they Bury him, never endeavouring, and it's likely never intending, to have him Crown'd; a Coroner indeed came not long after, but did not his Office (I will not confidently avere that Mr. *Bear*, or any other, did tamper with him privately to be gone, knowing that no *Stripes* would be found upon his Back.) But the Accused knowing their own pure, and spotless Innocency, were resolv'd to have him Crown'd, and accordingly sent for a Coroner, who came and Executed his Office according to Law. When his Jury was Impanel'd witnesses on both sides, with Impartiality were Examined. *Lucas* his Widdow, and her Father swore as before the Justice (except as some say she accused not Mr. *H.*) to whom was added a new Witness, *John Bear* (a Fellow that not long before took an Oath before a Justice of Peace, that Mr. *John Tripe* of *Kingsbridge*, was at a *Conventicle*, when he was sick at home) who swore that going with *Lucas* to find a *Conventicle*, he Riding and the other walking on Foot; and not holding pace with him, he asked him the reason why he could go no faster. To whom he replied: He was never well since he was Beaten at Mr. *H.* his House. After the Evidence of these three was taken, then were Witnesses for the Accused Examined; who were first his own Natural Parents, its well known in the Countrey where they Live, that there was much Love betwixt these and their Son, that he was very dear to them; insomuch that his Affectionate Mother, from the Intenseness and Strength of her Love, when her Son was taken out of the Grave, after he had putrified there a full Fortnight, Embrac'd him (as if by her own warm Bosome, she would have Reanimated, or given him a second Life, or breath'd her own into him; yea, she abundantly wept over him, as if with a Flood of her own *Tears*, she would have wash'd away the Filth, and Corruption of his Body) Certainly then if they had Apprehended, or Suspected these Persons, or any other to have shed his Blood, they could not have been backward to prosecute them; but they being convinc't of the contrary, they Voluntarily take their *Oaths* that to their Apprehension, their Son was as Healthful, Strong, and Lively from the 12th. of *June*, to the time he sickned, as ever they knew him, that they never heard him complain of any of the Accused doing him wrong, or hurt: They further Sware, that all the time of his Sickness, they never heard any complaint of this Nature, and that they did believe in their Consciences he had no wrong, or harm done him by the Persons Accused; and for the *Stripes* upon his Back that *Kelland* sware to, they did judg them nothing but *Strikes* made with the folding of his

Shirt,

Shirt, and Waist-coat, lying much upon his Back. Another Witness was his *Physician*, who Attested upon Oath, that he died of a Putrid Fever. A third that gave Evidence, was a Fellow-workman with him, who did Swear that the next day after this pretended Beating was, he came to work with him, and he asked him if he was Hurt by Beating the day before? and he answered, No; And further he Witnessed, that he wrought with him Seven Weeks together, and that all the time he did his Work (being a *Carpenter*) as Lustily, and Lively, as ever he knew him to perform it. *William March* (who is lately Dead, but while he Liv'd, was known, and approved to be an Honest man, and Peaceable man, by all his Neighbours) had not Providence prevented his coming, would as he intended, have taken his Oath, that he, being next Neighbour to *Lucas*, heard him the Evening of the same Day in which it's said he was Beaten, speak these words, as he was walking in his Garden with another man: *That he had no more hurt than himself*; when he asked him the Question, whether or no, he was so Beaten. And further told him, They did, or might Strike one another; but they could not Strike him they stood so thick: This, *William March* often while he Lived, affirm'd to be a Truth; but though he was now wanting to give in such material Evidence. Yet the former with *Barbary Canfess*, who (being Mr. H. his next Neighbour) was in her own Court, or Garden, a Spectator at that time, was so Pertinent, Demonstrative, and Satisfactory, that there was no need of any more.

Evidence therefore being thus given on both sides, the Jury Advise, and Consult together, what Verdict to bring in; the far greater part presently concurred in their Judgments, that *Lucas* died a Natural Death; Three or Four dissented from the rest, which caused a Debate, and Things to be Argued *Pro* and *Con*, several Hours: Then one Mr. *Ford* (who hath good Judgment and Skill in *Chirurgery*) being a Juror, declared his Opinion; That if *Lucas* had Sickned, and Died of any Blows that was given him so long before, they must have Impostumated before that time, and this gave general Satisfaction: So the Verdict of the Jury was, that he died a Natural death, by the Visitation of God.

Notwithstanding this Search is not only the Mortal, but Immortal hatred and malice of this Justice *Bear* against Mr. H. That about three Weeks after he grants forth a *Hue and Cry*, to pursue him for Wilful murder; when his *u. s. re* fury could not reach him any other way: And though by Vertue of his Warrants, his House had been Searcht for him several times before, yet now he is resolv'd to make thorow work (supposing him to be in that Countrey, when he was not) on a *Saturday* Night therefore about Ten a Clock, came the Constables of *Kingsbridge*, with most of the Informers for their Guard, and many others, to the Number of near Thirty Persons, and Besets his House; to whom his Wife opened the Doors, a strict Search then they make for him: One of the Constables commanded to Stab any that should go out (a Fellow lately put into that Office by Mr. *Bear*, who was never judg'd fit for it, or capable of it before) but not finding him there, they made a further Search, very diligently all that Night in the Town, disturbing many Families; and among the rest, they require some *Quakers*

to open their Doors (though no doubt they expected him not to be shelter'd in their Houses, as the Sequel declares, from whom he had met with so much Disturbance, and Opposition in Preaching) and when they were got in, they violently took away their Goods. The Sabbath-day in the Morning early, they leave *Kingsbridge*, and go to *Westalvington*, where a Search was made in some Gentlemens Houses, but to no purpose; from thence they proceed to *Milton* Parish, from it to *Hughes*, so to *Salcomb*, thus they spent the Sabbath: And after they had by their great Labouriousness, and Diligence tyred themselves, they gave over, not finding their Prey, having Searcht near Thirty Houses: How unwearied, and implacable is Malice, how sweet is Revenge?

When the Assizes begun at *Exon*, the eight Persons spoken of before, according to their Recognizance, made their Appearance, and the *Grand Jury* debated the finding of the *Bill* of Murder against them, which continued from *Wednesday*, or *Thursday*, till *Munday* (when the Assizes were nearly concluded) the Gentlemen being divided Thirteen against Twelve; the greater Number were for finding it an *Ignoramus*, but the Twelve were for finding *Billa Vera*. Now the Reason why there was such a Number for it, was in all probability some Under-hand dealing with the Under-Sheriff, Mr. *Norman* in *Exon*; for Sir *John Davy*, the chief Sheriff of the County, had sent a List of such Gentlemen to Mr. *Norman*, as he desir'd the *Grand Jury* should consist of, with Orders to warn them; but he not liking what his Master had done; without acquainting him with it, takes upon him to alter his List, leaving out whom he pleased, and Warning such in their stead as he judg'd more fit, and such as he knew would gratifie the Malice of the others, whatever it did his own. Notwithstanding therefore, all the care of that Honourable Person Sir *John Davy*, to have a *Grand Jury*, in reference to all Concernments that should come under their Cognizance, of Sober, Solid, Judicious, and Honest Gentlemen; it was now in a great measure otherwise Constituted, there being those that without any respect to Equity, and Justice, would take away the Lives of those called *Fanatics*. The *Bill* being now found, the Prisoners were called to the *Bar*, where they Pleadet not Guilty, and then came to their Tryal, which lasted about three Hours; in reference to which, I shall give an Account both of the prodigious Perjuries of the Witnesses for the King, and the Partiality (to give it no worse Name) of the Judge, before whom the Tryal was.

And while I present to the Reader some of those *Sowre Grapes*, which these Plants so far Degenerated from all Truth, and Righteousness, brought forth; I shall begin with Mr. *John Bear*, the Justice, who being called to be a Witness against the Prisoners, Swore as if he had no Sense of an Omniscient Deity, or a *Divine Nemesis*, to take Vengeance upon him, for his unparalleled Perjuries. The Sum and Substance of his false Oath, is, That *Lucas* was almost Beaten into the Ground, that the Prisoners did lye upon him, and Beating him, had made a Pit in the Ground, enough to bury him in, (which must be very large considering his great Dimensions, but its likely this Gentleman was resolv'd to Swear *Rhetorically*, by an *Hyperbole*) when the Ground the Pit was made in, was only a very soft Dunghil, and many people

People passing over it, at that time, had Trod it down, and made some Holes, or Pits in it; at this desperate rate he went on Swearing Roundly, and Smoothly, but with such a still and low Voice, that the Prisoners at the Bar, could not distinctly hear him: Therefore Mr. *Luke*, humbly desired the Judge, that he would command him to speak more Audibly, which being so Just and Reasonable a Request, was granted; in obedience to the Judge, he raised his Voice a degree higher, but yet not Loud enough to be heard by the Prisoners (from all probability he was unwilling they should hear him, that they might not except against any thing he Swore, and so all might be credited by the Jury, and likewise his Conscience might fly in his Face, and tell him what monstrous falshood he did attest) Mr. *Luke* therefore moved again, that he might more extend his Voice: Which at last doing, he desired the Judge to ask him; Whether he swore those things from his own knowledg? The Question being askt him, he replied No, but he was informed of it, and had heard so. Now he was pincht to the purpose, for if he had answered Affirmatively, there were those present (which he was not ignorant of) that could prove the contrary, he not coming till after *Lucas* was disarmed, and upon his Legs, and when there was no person in the least that did molest him. How may the Reader see what bloody Malice, Prompted, and Acted, this *Justice Bear*, to precipitate, and hurry himself into the absorbing *Gulph* of Perjury. For supposing all had been Truth which he Swore, yet it's False-swearing in the sight of God, to Swear what he had no certain knowledg of, (such knowledg being an Essential Constitution of a right Oath, as the Divine Oracles, and Casuists do Determine) and it's very probable, he contracted more of this dreadful Guilt upon his Soul: For he further Swore, that a little before *Lucas* his Death, he was with him, and that then he heard him charge his Death among others, upon *William Gilbert*; and yet afterwards, when the Question was asked him, Whether *Lucas* did not Acquit the said *W. G.* before Mr. *Hale* (then one of his Majesties Justices) after he had Accused him upon Oath, for Beating him, he confest he did; it being so known a Truth, he could not deny it. Let the Impartial Reader judg, that rationally it must be dissonant from Truth, that *L.* who had Acquitted *J.* before a Justice of Peace, would so long after, charge his Death upon him: And though Mr. *Bear* swore he did it upon all the rest, yet this having the ugly Visage of a Lye, what may we judg of the whole, but that it was a Contexture, and Concatenation of many notorious Falshoods together. Now we will leave Mr. *Bear* Immerst, and Drown'd in the dreadful Guilt of his Perjuries (though afterwards we shall find him sinking deeper) and proceed to another desperate Swearer, by Name *John Roope*, in the Parish of *Cheston*: He Swore, that when he came he found *Lucas* lying upon his Back in a Wet, or Dirty place, and *John Leech*, and *H.* come upon him; and that *Lucas* was so weak, and Spent, when they rose from him, that he had not strength of himself to rise, but was help'd, or lifted up by him: But *Barbary Camm* witnesseth (who was a Spectator, standing upon the Hedge that parts betwixt Mr. *H.* his Garden, and here, under which *Lucas* was thrown down, and lay at that time when *R.* came, so that she had him full, and perfectly in her View) that its true

J. R. coming immediately as *H.* rose from *L.* he took him by the Arm, but by his own strength, with much Nimbleness, and Quickness, he Leaped, or Sprung (but was not Pull'd) up, and threw his Arms about him, crying out with great Vehemency, and Vociferations, There's the Rogue (pointing to *H.*) that took away the Pistol; and to give a clear Demonstration, that he was not so spent, with great Force and Fury (*Mr. Bear* with some other Informers, being then in sight for his encouragement) fell upon *Hicome*, wrapping one hand in his Hair behind, and pulling back his Head with the other hand, gave him such a Blow upon the Mouth, that he struck him down to the Ground, where he lay a considerable time before he could rise, being deprived of his Senses by the force, and greatness of the Blow.

The next Witness against the Prisoners, that I shall give the Reader a faithful Account of, is, *Walter Campion*, (who bears the Bell away from all the rest of his Perjur'd Brethren, being a most profound Sink of Lies, an Abyss of Falshoods, to whom the precedence of all the Knights of Post is due) who Swore he saw the print of Forty strokes in the pilm upon his Back. *Rope* swore, he hearing a great Tumult in *Mr. H.* his Court, hasted with all speed thither (and it was no great distance from him) where he found *Lucas* down upon the Ground, and lying upon his Back, but saw no man strike him; it's strange then that he should have so many Blows given him, in so short a time, and that in a Throng, and Crowd, where one hinder another (as *William March* heard *L.* say in his own Garden, they could not strike him, they stood so thick) he could not have them when he was thrown down, because he lay upon his Back, as *J. R.* swears; and it's strange he should receive so many behind, and not one before that did appear, or was spoken of; either they were most base Cowards, that would only Assault him behind, or he was a notorious Coward that would not face about to defend himself. But any Impartial Reader may see by this, if no more should be produced to Demonstrate it; What a *Disperado* this *Campion* is for Swearing? But to evince this Perjury more clearly, let it be considered what *J. R.* Swore, viz. That he found *Lucas* upon his Back, in a Wet or Durty place (which is a truth, for there many times Water runs, and there is always Mud and Durt) the Forty blows then that *C.* swore he saw, must be either before he fell, or after; before it could not be, because he was thrown down before *R.* came, who came before *Campion*; after, no man can rationally suppose it to be, because he lying in a Wet place upon his Back, the Pilm, or Dust must be removed, or changed into Durt, so that no Prints, or Impressions of Blows could be seen in it; yea, if it had been in a Dry place he fell in, yet Tumbling, and Strugling upon his Back, would have defaced them altogether, or rendred them very undistinguishable; it's strange further, that so many Blows should be unobserved by all the rest, as if he who had a more notorious Lying Tongue, should have a more quick and piercing Eye, than all his Brethren had. And take all this in Conjunction with what *Barbary Cansey* swore, that she was a Spectator, and Observer of all Passages both at the beginning, and the end, and saw not one Blow given him; and that she heard the people, or some among them say; Strike him not a Blow: And then the incredibility of all that he Swore in reference to this
parti-

particular will be most manifest. So I will leave this, and proceed to another piece of Perjury as Infernal, and Tremendous, as the former, that he was Guilty of in the open Court, where he Swore twice (to render Mr. H. as odious as he could) once when he was call'd to be a Witness against Mr. H. and Mr. *Bastard*, for neglecting their Duty as Justices, in the Execution of the Act against Conventicles; and now when he was a Witness against the Prisoners, that the said Mr. H. near the time that the Act against Conventicles was in Force, threatened, that if any man came to Disturb him in keeping them, he would Knock him down, shewing him a *Club* as he term'd it, near as thick as the wrist of his Arm; to whom, *Campion* said, he Reply'd, You may miss your blow, and if I cloie with you, I may prove as nimble as you (or words to that purpose) and further said, he was not affraid of him: To whom Mr. H. replied after this manner: Say'st thou so, and pulling out of his Pocket a *Steel*, or long Dagger Knife, turn'd the point of it towards him, and told him, there was that which should pick his Teeth. That the Reader may know the matchless Impudence of this Fellow, and what a Debauch, Profligate, and Cauterized Conscience he hath, which Generates his most Horrid, and Hellish Perjuries, I will give him a True, and Faithful Relation of this Matter; as Mr. H. calls the Searcher of Hearts to Witness, and *Verbo sacerdotis*, doth profess. Which take as followeth:

About the midst of December, 1659. Mr. H. had a Horse dangerously wounded, and employed *Campion* to cure him, who came to his House to dress him; and one Evening before he went away, he asked him if he would Drink, which *Campion* accepted of: He then put it to his choice, whether he would drink Beer, or Sider. *Campion* replied; He could drink Beer at home, and he knew Mr. H. had good Sider, therefore he would rather chuse that; which when he had drunk, he commended it. Mr. H. at that time had a Staff in Hand, which *Campion* took notice of, and said, it was a good one: To whom he replied; That he had rather have such a Staff, than a small Rapier, such as now was in use. Then said *Campion*, But what if one should give you a prick? Mr. H. again: Possibly he might put by one thrust, which if he did, he would prevent the second, if he got one blow at his Adversary that should Assault him. *Campion* speaking of his Skill in Fencing, and what Feats he could do with a Sword: Mr. H. told him (which was the Conclusion of the Discourse) that if a man should Assault him with a sword, he would be in such a posture with his Knife in his left Hand (taking it then out of his Pocket) and his Staff in his Right; and if he put by a Thrust, he would quickly pick his Teeth. This Knife is indeed made after the form of a Dagger, with a little Cross-bar, to prevent its running through the Sheath; both Hilt and Blade, are but about a quarter of a Yard long. And when Mr. H. first had it, they were frequently, and commonly us'd for cutting Meats, and for this purpose many Sober persons use them yet: But in all this Discourse, there was not one word relating to Conventicles, or in the least bordering upon them, it being at that time when no Act was in Force against them, and several Months before the present Act was made; and Mr. H. never exchanging one word with *Campion*, by way of any Discourse.

since he pay'd his Money for the Cure he wrought, which was a few days after it was done. And now I shall leave this Fellow a while, deeply Abyss'd in his Perjuries, and under the heavy Pressures of that Soul-sinking Guilt.

Thomas Ford (that man of Magnanimity, and Might, already mentioned) Swore that *Lucas* was thrown down on his Back adwart a Gutter, which was pitch'd with sharp stones, over which, by the Head and Heels, they drew his Body. Now that the Reader may understand what a Brother in Iniquity this man is with the other, he must cast his Eye upon what followeth, viz. That *Too. Ford* was not there when *Lucas* was thrown down, and disarm'd, neither saw he in what posture he lay. He Swore further, that *Mr. Bevil Bassard*, and *Mr. Luke*, cry'd, Kill the Rogue, Knock down the Rogue, and yet he was not there (as before is asserted, and can be prov'd) when *Lucas* in struggling for the Pistol fell, or was thrown upon the Ground; and none can prove, or doth affirm, that one Minacious word was spoken after he got up. I need not declare the Perjuries of *Lucas* his Widdow, or her Father *Kelland*, they being much the same at the Assizes, that they were before the Coroner, except one Addition that *Kelland* made, viz. That *Lucas* not only from time to time complain'd of his Beating, but spit Blood, and brought up Knots of Blood as big as *French Nuts* at his Mouth, and that much Blood went from him by Stool. To all that hath been Evidenced by such near Relations, and others to prove Rationally the contrary, I will add the Authentick Evidence of *Mr. George Sutchcot* (who is known to be no Friend to Non-conformists, nor their Meetings; but a most Intimate and Familiar Converfer with the Informers, being judg'd by many to be an Abettor, and Encourager of them) which was this. That though *Lucas* the next day after his pretended Beating, complain'd to him thereof, yet he wrought with him several Months after, without failing any thing in his Work, and he never heard him to complain more of it. I could Write much more to Confirm what hath been Asserted, but let this Suffice, till there be need of further Evidence.

I will now proceed to the Narration of the Judges Partiality, I will not say Injustice, and apparent Malice. First, It's evidenced that the Judge came Prejudiced to the Tryal of the Prisoners, and had hearkned to their Enemies Informations before he came; for at *Mr. Hles* Tryal at the *Nisi Prius* Bench, when there was an occasion to speak of the Conventicle held at *Mr. H.* when *Lucas* was disarm'd, and of the Barbarous, and rude Carriage of the Informers; he justified them, and said, it was well they were all Arm'd (or word to that purpose) or they might all have been Murdered at it as *Lucas* was, whom he declar'd was then Murdered, for want of Arms to defend himself: All which was before the Tryal of the Prisoners, whereby it evidently appears with what prejudice he was possess'd, and how little he intended to do Justice.

He gave also the Witnesses against the Prisoners, the utmost Liberty to declare themselves; and when *Mr. John Bear* Swore so desperately by Hear-say, and Information, and *Rogge*, and *Campion*, did in their Oath contradict themselves, he took no notice of it: But the Witnesses for the Prisoners were Snib'd,

Smib'd, and Discourag'd not a little by him, he lying still at the Catch, to make their Evidence to Interfere ; he us'd likewise all ways to *Nonplus*, and daunt them, that they might not have boldness to declare the Truth. The *Mother* therefore of *Lucas*, when she came to Evidence for the Prisoners, he asked her, How much Money was given her for her Sons Blood ? And told her, she came to Sell it for Money (or words to that purpose) he Tauntingly, and Scornfully reflected upon Mr. *Bastard* likewise, who was desired to be a Witness for the Prisoners ; saying, He thought it a fine thing to stand there to own a Cause. So he dealt with another Person (who was a material Witness in the behalf of the Prisoners) floutingly : Telling him, That he was drest up in a Coat, or Cloke, with a fine made Story. To another Witness Jeeringly, and Scoffingly, he said : He did believe that she was one of *them*, for she did *Tone* it out like one of them. The Coroner likewise being desired to speak something of the death of *Lucas*, was suffered to say little or nothing, the Judge telling him, That Coroners were wont to be Tampered with : And when he came to give Instructions to the Jury, and to Sum up the Evidence, against, and for the Prisoners, he Omitted most of the material Circumstances that made for them ; and told the Jury they must find it *wilful Murder*, or nothing. And when the Jury brought in their Verdict not Guilty, he seem'd to be discontented, not letting the Prisoners depart, without Slurring them in the open Court, and rendring them as Odious as he could : Telling them, That though Men had Acquitted them, yet there was a God that knew they were Guilty, of that they are charged with (or words to that purpose) I shall leave the Impartial Reader to Judge thereof.

And now that none may *Ignore*, or be Unacquainted with the true Ground and Reason of this Violent, and Virulent Prosecution of so many Innocent persons : I shall but briefly relate a few Passages, *viz.* *George Bear's* words (who Swore desperately enoug among the rest) who when he heard what full Evidence was given for the Prisoners, swelling with Indignation, burst forth into these Audable words, which contain'd a Diabolical Imprecation, to this purpose : *The Pox of God take them, they will be all Acquitted.* The Widdow of *Lucas* returning home, did Chide her Mother in Law, for the Evidence she gave, and told her if she had been good (or words to that purpose) she might have got her a Thousand Pound : The Mother replied, What Advantage could it be to you, if the Prisoners had been Hang'd ? The Widdow replied, Rather than so they would have given her a good part of their Estates. Justice *Bear*, when the first Examination of matter of Fact was, and *Lucas* his own Father was Summoned before him, who Swearing that they were but *Strikes* upon his Eack, made with the folding of his Waistcoat, and Shirt, which *Kelland* swore were the Imprest blows ; he commanded his Clerk to Write down Stripes. The Coroner that came first, (as I have told the Reader) went away without doing his Office : I will not absolutely determine who was the cause, or what was the reason of it ; but we have another Notorious Exidence, and Circumstance of Fact, from Mr. *Bears*, sending for the Coroner, that came upon notice given him by the Accused, who refused to go. Now I leave it to the Ingenuous, and Judicious Reader, to determine in his own thoughts, whether this eager Prosecution was to Vindicate

Innocent Blood spilt, or to spill Innocent Blood. Now if it be questioned by any, What's the reason Mr. Hicks did not appear with the other Eight, that his Innocency aſwel as theirs, might be cleared? The Answer is briefly this: That he being at ſome conſiderable diſtance from his own Houſe, when Mr. Bear ſo illegally, and Maliciously purſued him with a *Hue and Cry*, and never being where it came, he judg'd it fit, with many others, to take no Notice of it, but enjoy his Liberty till the *Aſſizes*; when, if he were Accuſed to the *Grand Jury*, and the *Bill* of Murder found againſt him, with the Feſt, he intended to make his Appearance, and put himſelf upon his Tryal, if he could have any hopes of Juſtice, and Moderation: But underſtanding how the *Judge* did prejudg the Faſt, calling it Murder, when the Tryal was betwixt Mr. Hicks, and one of the Informers; and how thoſe that were *witneſſes* then againſt Mr. Hicks, did moſt prodigiouſly Perjure themſelves, and who were to be *Witneſſes* againſt himſelf; and not being Ignorant how Active, and Induſtrious ſome *Eccleſiaſticks*, or *Hierarchiſts*, were to Ruine him; if they could (*Leaving no Stone unturn'd*, for that end, ſome ſaying, *if they had him, he ſhould Hang for all the reſt*) conſidering with all theſe things, the Care and Induſtry of the Under-Sheriff, to have a *Grand Jury* ſo Conſtituted, as the *Bill* of Murder might be found againſt him, with the Reſt. He had good reaſon to Suſpect, and Fear, that he had alſo provided ſuch a *Petty Jury*, as would gratifie the Malice of his Enemies, and into whole hands it would not be ſafe for him to put his Life. Upon all theſe diſadvantages he thought it not fit to yield, and give up himſelf to thoſe who Intended, and Attempted to Voraciouſly to make a *Prey* of him. If it be ſaid——*His means above ſaid*, &c. And that Abſconding, and Flying, argues Guilt. I Answer, That ſometimes the moſt Unſtain'd, Unſpotted *Righteouſneſs*, and *Virgin Innocency*, cannot ſtand before malicious Fury, and powerful Malice, or devouring Envy Arm'd with power (which made the wife Man ſay, *That ſometimes the Righteous doth periſh in his Righteouſneſs, thinking that that will juſtify the wicked, and condemn the other, though both be alike an Abomination to the Lord*) and when it's ſo, it's no diſhonour to any perſon to ſecure himſelf by Flight; neither doth it Adminiſter a juſt ground of jealouſie in any other, that knows the caſe of Guilt, which it cannot in the leaſt Infer. What Mr. H. doth, many who have been in the ſame Circumſtances, have done. But this is not all that he hath to plead for himſelf: For there is Imprifonment, which his Enemies deſign againſt him. ſo if they cannot deprive him of his Life, they will of his Liberty; and Liberty being more Eligible, and Deſirable than Reſtraint, he is reſolv'd to enjoy it as long as he can. And yet he deſires may be Publiſhed to the whole World, that let him have a fair Tryal before a Juſt, Upright, and Un-biaſt Judge, and have a Jury of Indifferent and Judicious perſons, not choſen by Malice, and Prejudice; and be ſure that if he be not found Guilty, he ſhall have his Liberty, He will put himſelf upon it, for the clearing of his Innocency.

I now proceed to give the Trial ſo far as it is ſaid to have paſſed, fully, and Impartially of the Tryals that were betwixt *William Ballard*, Eſquires, and Mr. *Edward Rynd*, and *J. Rynd*, or Bear, for pretended Neglect,

Neglects of putting the *Ass* against *Conventicles* in Execution, &c. The first Informer Sued Mr. *Hele* for three Neglects, and so was in hopes of having one Moiety of Three Hundred Pounds, however his Majesty would dispose of the other (it's likely he was not without hopes of it, as the Merited reward of his Signal, and eminent Service) now let the World know the Ingratitude, and Disingenuity of *Edward Reynel*, towards Mr. *Hele*, not only as he is his God-Son, but as he at that time Owed him several Sums of Money, both on his own, and Fathers Accounts; his Elder Brother, Mr. *George Reynel* (the Prisoner in the *Kings-Bench*, and the Justice) Owning him likewise an Hundred Pound, which his Lady sent for some Years since, to pay her Physicians with, and had it from him, only on her single Letter, without Bill, or Bond, and which is not Paid to this day, He is now resolv'd to require Mr. *Helewell*, for all his Civilities, and Favours shewed to him, and the Family. The other Informer Sued Mr. *Bastard*, for two Neglects, and now thought to enrich himself with the share of the Two Hundred Pound, thereby to get above the Disgrace, and Contempt of Poverty: *Non habet infelix paupertas durius in se, quam quod ridiculos homines facit*— In this Account which I give, I shall as before Methodize, and Digest it into this Order. First, To relate the Perjuries of the Witnesses that swore against both the Gentlemen, and the hard Measure they met with from the Judge; who set himself with that Violence, and Vehemency against them, that it was observed, and spoken of generally with Abhorrency, and Detestation.

When Mr. *H.* Tryal was put forth after four days Attendance on the Assizes, and the Jury call'd, *Robert Adams*, of *Malborough*, being the Foreman of it, was excepted against by Mr. *Bear*, the Justice (who was not long before the Principal Informer) as an Excommunicated Person, for which he took his Oath in the Court, whereby the said *R. A.* was Incapacitated to serve in the Tryal, relating to Mr. *H.* and Mr. *B.* Now the Reader must know, that the foresaid Person was suspected by the Informers, to Favour, or bear *God-will* towards those they call *Fanatics*; and they could contrive no way to remove him but this, to prove he was not Capable of serving as a Juror (which by the Law no Excommunicated person is) Mr. *Bear* therefore he undertakes for an Expedient, and that is, to call the Omniscient God, and Him that is *Essential*, and *Eternal Truth*, to be a Witness to a Lie. For since the Assizes, it hath been enquired into, and found that *Robert Adams* was not then Excommunicated. Mr. *Bear* further Swore, to Aggravate Mr. *Heles* supposed Neglects, that the Insolency of *Conventiclers* was grown to that height, that all Loyal Subjects had just cause to fear a Rebellion: That they (speaking of Mr. *Hicks*, and the people he Preacht too, did not only Usurp the Pulpits of Lawful Ministers, but pull'd them out of their Pulpits, and laid Church-wardens that came to Suppress them, flat on their Backs in the Church, and broke open Church Doors, &c. all which things, if Truths, Mr. *Bear* was never an Eye-witness of: But what Notorious falsehoods these are, the whole Countrey round about knows. It's strange, and most Inconsistent with Reason, that they who were continually Attempting to bring Mr. *Hicks* into trouble for Preaching, should never take

o great, and fair an Advantage against him, as hereby they had. If Mr. Bear can produce one Church-warden, or any Officer in a Town, or Parish where Mr. H. Preacht publickly, that will affirm, that either he oppos'd him, or that any Assault, or the least Violence, and Incivility was offer'd by him, or any of his Hearers, upon the Account of his Preaching; or can bring one Minister to prove that ever Mr. H. or any of his Hearers did dispossess him of a Pulpit, when he was in it; or that any Church Doors were Broke open to possess the Pulpits, then will I engage Mr. Hicks shall appear at any Assizes, or any other time, to suffer whatever any Law in the utmost Extremity can inflict upon him, and promise never to Indite Mr. B. for Perjury.

The Jury being Sworn, one Witness upon Oath, Swore that Mr. Hele refused to take Informations upon Oath, that there was a Conventicle at Mr. Hicks his House, May the 19th. When another of them upon his Oath did confess, and acknowledg, that Mr. Hele did take their Informations, which also several persons of Mr. Heles House, did Attest. As for the other two Neglects Mr. Hele was charged with, and Sued for, which were in one day, June the 19th. 1670. I shall speak nothing concerning them, till I relate the Carriage of the Judg, in reference to them.

When the Tryal betwixt Mr. Bastard, and John Bear, was put on for two Neglects, the first being for the 29th. of June. Likewise, one of the Informers, and the Dog-whipper, Swore they came between Twelve and One o'Clock, to Mr. Bastards house, to Inform of a Conventicle near Kingsbridge, in Mr. H. his House; and that it was three miles betwixt Gorton (where Mr. Bastard dwells) and Kingsbridge; but the contrary to all that they affirmed upon Oath, was so fully prov'd, that all who heard it, might, and most were convinced what perjur'd Miserieants they were: *Campion* Swore that he saw Mistris Bastard, Mr. Bastards Wife, at the same Conventicle, whereas it can be prov'd she was elsewhere, by several Witnesses. Should I publish to the World all the false Oaths, and Voluminous perjuries of these, and other Witnesses, the Narrative would break the bounds, and stretch it self far beyond the Confines, I intend it shall be kept within. I shall now conclude all with the Carriage of the Judg, who suffered without any check, Mr. Hele, and Mr. Bastard, to be Seared and Flouted, and high Affronts put upon them, by such Humuncios, and Dregs of Humanity, as *Campion*, the Smith, *Leech* (the Judas) that's glad of a days work in the Countrey, the Dog Whipper, and others. When *Campion* swore he saw Mr. Bastards Wife at a Conventicle, and the Judg asked him, How he knew it was her? He most Saucily, and Impudently replied: He could not tell whether she was Married to him, or no, but he had had several Children by her, &c. And yet the Judg did not in the least reprove him for, or shew the least dislike of his so shamefully abusing Persons of that Worth, and Honour, they are known, and esteemed generally to be. When *Leech* swore, That if Mr. Bastard had been so zealous in Executing the Kings Laws, as he was to maintain Rebellion, the Conventiclors had been all Routed before that time; the Judg did not in the least Check him, for that high and most scandalous Charge, but seemed rather to be delighted with it, and all the rest of that filthy Trash. He suffered
Like.

likewise the very Council to be Flouted by some of the *Parlors*, as that *Campion*, whom he permitted as long as he pleased, to Act the parts of a *Fool* in the *Play*, to make *Sport* for, and move *Laughter* in Court; and he himself *Reflected* sufficiently upon the *Gentlemen*, insomuch that one of them told him, if he were an offence to him, he would go out of the Court. Yea, he *Labour'd* to *Discourage* their Council, and to prevent their full, and effectual *Pleading* for their Clients: Telling them, he was sorry to see any *Plead* in such a Cause, bidding them for shame to hold their peace (or to that purpose) but said, he thought what they did, was for their Fees. When the Council for the Informers, had all desirable Liberty to speak, yea, and were often eased, and Assisted by him. And though as to the first Neglect, *Mr. Hele* was Sued for, it was fully proved, that he did not refuse to take the Informations of the Witnesses, by the acknowledgment of some of them in the Court, as well as by the Evidence of his own Servants; and none could Swear that there was either Praying, or Preaching, or any Religious Worship dissonant from the Liturgy, and Practice of the Church of *England*, at that time, but that about three Fields off (besides a high House, that the Voice was to ascend over) they heard a Voice, which they concluded, came from *Mr. H.* his House: Yet he gave a strict charge to the Jury, to find for the Informers, the Plaintiffs. Concerning the two other Neglects, which were for one day, the one for the Forenoon, the other for the Afternoon, how the Judge suffered Justice to take Place, and Sway; what follows may give the Reader ample Satisfaction. In reference to the Forenoons Neglect, the Witnesses Swore that they were at *Pool* (*Mr. Heles Parish Church*) about Ten of the Clock in the Forenoon, to Acquaint him with a Conventicle at *Mr. H.* his House, which was confessed upon Oath by them, ended a considerable time before *Mr. Hele* had any Notice of it; and yet it was judg'd a Neglect, that *Mr. Hele* came not soon enough to Suppress the same: And as to the other pretended Neglect in the Afternoon, though *Mr. Hele* prov'd, he sent immediately for his Horses to be fitted for him against he came from Church; and after he had refresh'd himself with some meat, he came to *Mr. Hickes* his House, where he found neither Preaching nor Praying, neither could any of the Informers Swear there was any; but they heard a Voice of one in such an Exercise, and that it was *Mr. Hickes*'s Voice (which was desperate enough, seeing Voices are many times as like as Faces) and that this Conventicle began at a Eleven a Clock, and ended at Two (which was more than *Mr. Hele* then knew) yet not the least Grane of Allowance, must be laid in the Ballance for *Mr. Hele*; and whatever was said by his Adversaries, was sufficient to Preponderate, whatever might rationally be pleaded, to Acquit him from the Guilt of a Witting, and wilful Neglect of his Duty (the most Rigid, and Severe Interpretation, being put upon all his Actions, and the smallest Circumstance aggravated to the highest Pitch, that it was possible for Malice, and Prejudice to Rack, and Screw it up to) as that it's Contravertible, and Disputable, whether the Act doth require a Justice of Peace to come in Person to any place, where he is Inform'd a Conventicle is, there's no such Law exprest; if there be any thing of that Nature, it's but very Darkly imply'd. And further, that he was Engaged in

the Publick *worship* of God when the Informers came: And should he leave that, to Ride Three or Four mile upon an uncertainty at the best? (And if he had come, it had been to no purpose, there being no Meeting at that time) And after the *Worship* was over, it was most reasonable that Nature should be refresh'd, before he Ride so far? And yet he came at the most probable time to find a Conventicle, which was about Two a Clock, the ordinary and usual time, that Mr. H. was wont with the People, to meet at his House. And certainly, if the Informers had not Alarum'd them by their coming, before the Justice, he had Surprized, and found them all like *Bees* in the *Hive* together; And when he came, none did Swear that there had been any *Worship* of God, only a Voice of one Praying, or Preaching, was heard, and it was Mr. *Hicks's*. And suppose it had been so, they did not Swear that it was to above the Number of Five: It's true, Mr. *Hell* found some Women in the House, and he Ask'd them, How they came there? And how, or when, or to what end they came: How could he know? Mr. *Hicks* had a Child very Sick, and they were with his *wife*, in the Chamber where the Child lay: And how this could be a *Notorious Evidence*, and Circumstance of Fact (that is such a Circumstance, that carries in it, a certain Demonstration of the Fact, coming within the compass of that *Axiome*, or, *Maxim posita Circumstantia rei, ponitur res ipsa*: For it's Absurd otherwise to Interpret the Law the two former ways of Conviction, *viz.* Confession of the Party: Or the Oath of two Witnesses, being certain *Quoad Nos*, the last must be of the same kind) to him, that there had been Religious *Worship*, and differing from the Liturgy, and Practice of the Church of *England*; or a sufficient Reason, to prove him Guilty of a *witting*, or Wilful Neglect of Duty, let all Sober, Impartial, or Unprejudiced men judg. However, the Judg strictly chargeth the Jury (which destroys the Liberty of a Judgment of Discretion, as well as of Determination in them, and so makes *Juries* to signifie nothing) to find three Neglects, which is more than the Law (as many that are Judicious rationally suppose) doth charge him with, or any other man; for it doth not say *Toties Quoties*, or so often as a Justice doth not Convict of a Conventicle when he may, he shall Forfeit so many Hundred Pounds, but not doing his Duty he shall Forfeit one Hundred Pound; When our *wise* Legislators intended, that Conventiclers should suffer for every particular Crime, they Express it: Why then should we think, much less absolutely determine, that seeing they have not express'd it with respect to Justices of the Peace, that they did certainly intend it. The Jury having this charge given them, after some time, bring in their *Verdict* to the Judges Chamber, of Two Hundred Pounds for two Neglects only; at which, he was highly displeased, and would not receive their *Verdict*, till they brought it in for Three.

Mr. *Bastard* producing such full proof, and clear Evidence to Acquit himself from one Neglect he was charged with, and Sued for, he was resolv'd to make him Guilty of the other; therefore, though Mr. *Bastard* prov'd that he took all the Informations of the Informers, and every word that they said in reference to the same, and every Name of the Persons, that they affirmed were then present: To which Informations likewise, the several Informers

Informers put their hands, but without any proof, that there was either Preaching or Praying (Mr. *John Bear* upon his Oath, acknowledging he saw, or knew of no manner of Worship among the people; and the rest, that there was no Worship contrary to the Liturgy, and Practice of the Church of England.) And notwithstanding this, though Mr. *Bastard* (that he might not Neglect his Duty) made a Record hereof as a Conventicle, which was put in at the next Sessions; and the Money return'd of those Offenders (whom two of the Informers sware, were there present) so much as concern'd the King; yet the Judge declared it a Neglect, because the Record was not Dated the First day of the Sessions, but the Third. Whereupon Mr. *Bastard* declared openly, and in the Face of the Court, that he did not Neglect his Duty *Wittingly*, and *Wilsfully* (which are the express Words of the Act against Conventicles) for he could aswell have Dated it the First, as the Third day; but he knew nothing to the contrary, but that it was Valid enough if Entred, and Dated any time during the Sessions (which are taken in a general Sense, every particular day not being a New, or distinct Sessions) and what Unprejudiced Persons can rationally think, or judge otherwise: However, according to the Directions given to the Jury, he was Fined a Hundred Pound. Now if the Reader be curiously Inquisitive to know what Judge this was, that so far Deviated, and Swere'd from all Justice, and Equity, least any other should be censured for him, I must declare; it was Judge *Rainford*, who is profoundly Wise, and Understanding in the Law, Mild, Compassionate, and Impartial in the Administration of Justice, here in England (for ought I ever heard to the contrary) except when the Causes of those call'd *Fanatics* come before him; and then like *Naaman*, he must be pardoned.

At *Ashbrenton*, near *Totness*, on, or about June the 12th. one *Andrew Helly*, with his Son, Daughter, and a Friend, were Repeating a Sermon in a Barn of his, about a mile from his House; to which place, just as they had ended, came *James Parrat*, and a private Person, the *Setting-Dogs* being Abroad, Scented, and espied the Game; and rather than they would not be rewarded for their pains, resolutely Sware, he was the Minister; and so the Number Five is made up, and consequently a Meeting prov'd, and Preaching too Logically concluded. So *Parrat*, that was never near the place till all was done, was Fined Twelve Pound, *A. H.* and his Relations, Twenty Eight Pound; and this was done by Justice *Fowel*, and *J. Kelland*, who made the Evidence of Informers (that are parties) the ground of this Conviction, which was against all Reason, and Law. For suppose the Barn part of the Dwelling-house (which is about a mile distant from it) then though *J. P.* had been present, and a Preacher too, there could be no Conventicle, *A. H.* and his Children being of the Family: Let it be taken otherwise, yet *Parat* not being there, there could be no Conventicle, the other not being a Number above what the Law allows; so the place was not liable to Twenty pounds. But grant that he were there, yet not being a Minister, or if he were, yet he neither Preaching, nor Teaching, no Law doth punish for Twenty pounds more. But the Justices were resolved to set this *Poor Barn*, like a *Shepherds Tent*, on *Wheels*, carrying it home to the precinct:

of the Dwelling-house, for the Fining of that, and then Recarrying it to the Fields, for the Fining of the people. The Agrieved become Appellents to the Sessions, where they find no Relief, or Redress, but great Oppression; instead of a *Plaster*, their Heads are Broken more, they are Cast, and Treble Costs they must pay for their *Traverse*, which is always an *Hyperbole* in the Excess, never in the Defect, at the Sessions.

At *Silverton*, near *Exon*, Justice *Saintoil*, Seised some persons, with a Non-conformist, Mr. *Treggs* (I hope now after all his Storms, Arrived at the Haven of his everlasting Rest) in a private House, about Nine a Clock in the morning, and Fined the House Twenty pound; and though he could not prove that there was any Preaching, or Teaching (as there was none) yet some of the people were Fined for the Minister, Twenty pound more: Though he had an Estate of his own, which he Acquainted the Justice with, and desired he might bear his own Fine, but the Gentleman would not grant it: The Agrieved appeal to the General Sessions, where they *Traverse* with some good Success, touching the Preachers Fine, his Conviction not being Recorded; which the Appellants Advocate observed to Advantage: But yet the Remedy was almost as bad, if not worse than the Disease; for being found Guilty of the Meeting, though not of Preaching; they were Sentenced by the Judge of the Sessions, Mr. *Carew*, to pay treble Costs as high, as if they had been Cast in both parts.

At *Exon*, there lives an Old Gentleman, called Mr. *Butler*, a Justice of Peace in the City, who hath been a Notorious Conventicle-Hunter many years, the Fame whereof is diffused through all the *West*: The Ardours of whose Zeal and Passion, when he is to Engage in this Honourable Employment, so far Transports him, that many times he becomes a complete *Thom-bedlamus*; his Gestures, Postures, Ravings, much resemble theirs, whom I have seen bound in Chains, which the Boys in the City can Act, and Imitate with admirable Dexterity, though no doubt he deserves for them a Canonization of Saintship, but by the *Romish Church*; because he's never zealous for the Fifth of *November*, and an esteem of a greater Wit, because what he hath, appears hereby to be mixt with Madness. I might Write Voluminously hereof, but I will Omit, and pass by all things concerning him, except this one, which the Reader may be pleased to cast his Eye upon, thereby to take a measure, and judg of all the rest. One Evening upon Information given him by some of his Familiars, that there was a Meeting of the Fanatics, at Mr. *A. Jeffreys*, whether he hastens as the Eagle to the prey; when he came to the House, the Doors without delay were opened to him, there he finds about sixteen persons, most of them Relations of the Family, and Invited to Supper; but this Quick-scented Justice smells another Feast in his Conventicle-Fancy, and judging rather by Number of the persons, than weight of Reason, after some wonted Ravings, and Ragings, Fines the House Twenty pound for a Supposed Meeting; and Mr. *Chrispin*, besides his own Mule and his Wives, was Fined for several Rich persons, directly contrary to Law, which makes the Rich to pay for the Poor only (not whom a Justice shall judg to be so, but who are really to be so.) Mr. *J.* and *C.* appeal from the Rage of one single Justice, to the Reason of a Bench: At the City Sessions they

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Traverse their Appeal, where Mr. *Butler* was not only Judge, but Witness in his own Case ; his Oath most unreasonably taken, and as falsely he Swears in the Face of the Court. That when he came to Mr. *Jeffreys* House, he could have no entrance, but was forced Violently to break open the Door, insomuch that he made the Staple fly ; the contrary whereunto was sufficiently prov'd, viz. That the Master of the House opened the Door quietly, and seasonably ; the Attendants that stood by, perceiv'd no such effects of his Vigour, and Vivacity. But no wonder to hear a false Oath drop from a false Lip, that hath caused a Wide-mouth'd untruth, to pass proverbially under the Name of a *Butler* : But happily he might Lodg some mental reserve, for a Salvo to his Oath, and so be able to say with that prophane, and profligate Wretch — *Juro, at mentem injuratum Gero*. It was likewise Sworn, if I mistake not, by some of his Setting-Dogs, that the Meat was laid down to the Fire, after, or about the time they entered the House ; which was prov'd by the Appellants, to be then near half Roasted, and that all the *Harbingers* of a Supper, were there. But however, though they did sufficiently Invalidate all Circumstances of Fact, that the Justice would ground his Conviction of a Conventicle upon, yet it was to no purpose : For Justice *Carew* sitting as Deputy Recorder, and Judge of the Sessions, so instructed the Jury-men, who were fit to receive his Impressions, that they brought in their *Verdict* against the Appellants, and they are Laden with treble Costs, according to the liberal Calculation of the Judge.

At *Dirwood*, near *Exon*, on a Lords-Day, a little after the 10th of May, some persons met together in a Wood, but not so close as to escape the Eagle-eyes of the Informers, who observ'd their going in, which they concluded confidently to be a Conventicle. The adjacent Parish *upton-pines*, being speedily Alarum'd herewith, from thence rush forth with all Expedition, and Fury, a company of Club-men, whereof the Son of the Parish Priest was one, and fall violently upon one person ; which madness, when a Sober, Honest man rebuked, telling them he would go without compulsion ; they outrageously fell upon him, Drawing, and Dragging him along, some taking hold of his Arms, some of his Legs, and so rudely was he handled, that he Recovered not for some considerable time of those Distortions, Compressions, and Contusions, which his Body suffered by them. At last, some few of them (the rest escaping) were brought before Justice *Tuckfield* (that blustering Tempest of wrath, and Rage, against his Fanatical Neighbours) where being in an outward Room, they heard what the Informers Swore before him, viz. That they heard a Voice, but whether there was either Prayer, or Preaching, they could not tell. However, this *Don Fariosi* (that he might make some further Compensation for his Notorious *Quandam Fanaticism*) Convicts of a Conventicle, Fines some of the people for themselves, and some for a Minister, though none could be so much as prov'd to be there, much less to Preach, or Teach : But, *Corruptio optima est pessima*, which is not only true Physically, but Morally.

At *Darlington* near *Totness*, Goodman *Searls* House was Visited upon suggestion of a Meeting ; by Mr. *Tho. Carew*, where he found but one Person (above the Family) viz. a Kinsman of the said *Searls*. But the quick-sighted Justice

Justice in a certain Room finds many Spittle spots, and thence by Logical Deduction Concludes it a *Company*, and at next step a *Conventicle*, Two or three being met in a certain Field, at some distance from the House: now a most dim suspicion is made; a very demonstrative circumstance, and notorious evidence that God had been worshipped there by more then Four, besides the Family, or that there was a *Meeting* for such an end. When a man looks through a multiplying, and magnifying Glass of malice, the minutest circumstance shall be substance enough, and a dark shadow a clear Sun-beam: rather therefore then he will not attain his end, even that which is next to nothing shall be a sufficient ground to pass a Conviction upon; So now we be to the Rheumateck People, for they must pay large Fees when this Man is their Physician, twenty pound therefore must the shoulders of the poor man (the Master of the Family) bear the weight off; and unless he and his Family will forbear spitting, when together, he may be in danger of paying more: but all that this Justice doth, is little enough to Compurgate and absolve himself from the Imputation of *Fanaticism*, and he must be pardoned if he shew his Valour in this Cause, as he once did in another of a different Character, when a Champion in Captain Braddons Troope,

Deven. and *Cornwall* being so nearly Conjoyn'd, and such friendly Neighbours, it may not be impertinent, and unlawful to cast an Occular glance upon the Borders, and Frontiers of it; where there is a Town call'd *Landrake*, vulgarly *Larrake*, at which lives an Aged Reverend Divine, whose worth is further known then his own Country, a Non-conformist, by name *Mr. Gasper Hicks*, Who continuing to Preach in his Family since the 10. of May, 1670. to the Number that the *All* against Conventicles allowvs of, vvith others under 16 years of age, it did highly inrage a young *Levite* of Jeune, and Immature Braines; Who Serves for the Parish Priest, by Name *Mr. Winnel*, or *windle*; this Supercelious, Pragmatical, and self-conceited Novice resolves therefore to injure as much as possibly he could, him vvhom he ought to have rever'd and had in high Veneration; to accomplish his end he sticks not to turn Informer (the most dishonorable and infamous *Miscreant* upon the Earth) against him, that he kept Conventicles, he gets the Officers of the Parish to search his house, vvho found none but four Persons of or above the age of 16, vvith some fevv under, besides his own Family: Howvever this *Monsieur Faribundo*, rides from Justice to Justice to make a conviction; but these worthy and noble Gentlemen that were his Neighbours, who have right resentments of Generosity, and walke according to the Rules of Justice and Equity, as *Sir J. C.* *Sir W. M.* *Mr. S.* would give him no Countenance, knowing the Law was not violated by *Mr. H.* Then he spurs up his Horse further Westward, where he met with some Justices, who like Tinder presently took fire; upon the first Information: (I know not all their Names, but one of them was *Dr. Polemheel*, that terrible *Fulminoso*, who for these 10 or 11 years past, hath anhelated nothing but threatening cruelty against those Catachrestically called *Fanatics*) with the highest impetuosity and rage; These Justices fall upon *Mr. H.* creating something out of nothing, they Convict him of a *Conventicle* kept in his own house, and likewise take it for granted, without any proof, that he Preached, and so Levy 40*l.* upon him: He
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finding himself agrieved becomes an Appellant to the next General Sessions, which is out of the Frying-pan into the Fire, for all Justice was banish'd from the Bench, Mr. H. was denyed a Jury, directly contrary to the Law, Page 9 of the *Acts against Conventicles*; Mr. P. and others cry'd to the Vote, which was done; and so not withstanding all the strenuous, and nervous endeavours of several Justices there to make Mr. H. his Innocency a fence against the storms and flames of the others fury, and to shelter him from oppression, Judgment by an illegal Vote only passeth against him; and his Appeal hereby being made unjust, besides the 40*l.* they give treble coste against him, and most ignobly load him with foulest revilings, and reproaches: never was there more monstrous and barbarous Injustice acted. First, that they should deny the Appellant that privilege which the Law gives, and which is every *English-mans* Birth-right, *Viz.* his Tryal by a Jury. Secondly, that they should judge him guilty of a *Conventicle*, when there were no more then four Persons of or above the age of 16 years besides his Family, neither was he accused of having more; but however it holds to be a *Conventicle* by a new nice, and subtle distinction, (which like an *Ariadnes* fine spun thread, helps and conducts them out of the Labyrinth they were in) *viz.* That though persons under Sixteen years of Age, be no Conventiclers, yet being found with those that are of, or above the same Age, constitute a Conventicle: Whereas the old Axiom is, *Quicquid efficit tale, est magis tale.* These New Philosophers can make *Non-entities*, productive of *Realities*. Children must make men guilty, and yet themselves remain Innocents still. A Thousand under the Age of Sixteen years, are Nullities in Law, but in the Execution thereof, make others Criminals and Penals too. These New *Oracles* of Law make the former Criminals, but not exposed to Penalties (though they expose others) and so makes the Law in this respect an ineffectual Vanity, supposing it to make Offenders, without a Sanction, and Allotment of punishment for them. These New *Arithmeticians*, can make Ciphers, cast Figures, Four above the Family in Law, is nothing, Ten Thousand under Sixteen years, are nothing; but now according to their Rule, add nothing to nothing, and you make Five, or more. But their definitive Sentence, and final Determination by *Vote* (to which he must stand) shall make all sound Philosophy, good Law, and true Arithmetick. Thirdly, That they should Convict him of, and punish him for Preaching, when none could prove it (supposing him guilty of keeping a Conventicle) neither was there the least Circumstance to be Demonstrative of it. It's true, our Legislators have made *Notorious Evidence*, and Circumstance of Fact, to prove a Conventicle, but no such thing to prove Preaching, or Teaching, for it can scarce possibly admit of any proof thereby. For, grant a Minister be found among a people above the number of Five; What notorious Evidence can result from this, that he Preacht? for it might onely be (as often it is) to Pray, or his Preaching might be prevented; or grant he were found with his Bible, and Notes in it; yet this cannot evince clearly he did Preach: It may indeed beget a suspicion, that either he did, or intended to do it. But is it Legal, or Rational, to punish persons upon so slender a ground as this? To inflict the Law upon him from a jealousy of his Intentions, is to

make such an Act of his, or another Non-conformist, worse than Murder, or Theft, &c. For no man is punish'd as a Felon for intending, though it be manifested by Attempting Felony, when it's not Actually committed. And to punish him for having done it, when it did not so appear, is equally unjust, and unreasonable: For, *De non apparentibus & non-existentibus eadem est ratio*, Doth our Law condemn any Felon from a naked abstracted Jealousie, that he's guilty of the Crime he stands charged with, when there's no Evidence to prove the same: Our Law therefore is most Just, that Jurors must proceed *Secundum allegata, and Probata*. And that every Conviction of Guilt, and judicial Sentence must be Founded, and Bottom'd upon the same: But here was no such thing to be the *Basis* of the Determination at this Sessions, by the Major part of the Bench, against Mr. H. they were therefore so uncertainly Fluctuating, and Dubious, whether he Preacht, yea, or no, for want of clear demonstrative Evidence: That in the Record of the Offence, it was express'd Disjunctively that Mr. H. did Preach, or Pray, and not Copulatively that he did both, or positively, and absolutely he did the first. His Council pleaded to this, and opened the Law fully to them, shewing them their Gross mistake. But all was to them like beating the Air, for neither Law, nor the strongest Reason, can be an impregnable Bulwark against their Envenom'd and Virulent malice, which was so Oppressingly disgorg'd upon Mr. H. Thus Reader, thou seest how Illegally, not only in *Devon*, but *Cornwal*, many Justices Act; and that the New Chancery, or Court of Appeals, which should be a cherishing Bosome to the Oppressed, is made a Ponderous, and Pressing-stone for such as will not yield to the unjust Convictions of one or more private Justices. Thus poor Distressed, Agrieved Conventiclers, like unwearied Birds, lie from the Hawk, into the Fowlers hand: So that henceforth, the *Philosopher* must be the Appellants best Councillor, who having his Head broken, and being by a Friend advised to go to the *Magistrate*, and get the violent Fellow punished: Nay, said he, it's better to go to the *Surgeon*, to get my Head healed. The best Remedy for Sufferers, is to cry to that God who hath his *Torone* (as the *Psalmist* tells us) established in *Righteousness*, and *Justice*, and *Judgment*, for the *Habitation* thereof, that executes *Judgment* for the Oppressed; that for the crying of the *Poor*, and sighing of the *Needy*, will arise, and from whom their cries, by reason of their Oppressions, cannot be debar'd. That will bring forth their *Righteousness* as the Light, and their *Judgment* as the Noon-day; who ordaineth his *Arrows* against the *Persecutors* of his people. To that Essentially, and Eternally Just, and Righteous God, be Glory for evermore. Amen.

A Post-

A POSTSCRIPT.

Though I have given an Account to the World of those miserable, and deplorable Oppressions that very many in Devon, Labour and Groan under; yet have I not made known all, for want of a perfect and true Relation thereof, neither have I declared all the unjustifiable Actions of their Oppressors: As how Mr. Bear vindicated Leech (the Judas) after he had Rob'd a Woman in the way as she was going home, coming towards her with his Sword drawn, demanded of her Money, which she durst not deny him. How he hath detained the Thira part of the Money, due to the Poor of several Parishes, where he hath made several Convulsion of Conventicles (and if I mistake not too, after it hath been demanded) how he encouraged a Constable, when he was to Execute his Warrant for Distress; to take a 100 pounds worth of Goods, for 3 or 6 pound, telling him that he paying the Money for which the Distress was taken, he might keep the Overplus; and should not be liable to return it. How he sent a young man of Kingsbridg, to the common Goal (contrary to Law) for not coming to the Common Prayer, when there was none publicly Read in the Town Church. How he bound over to two Sessions, a person whom he supposed was at a Conventicle (putting him to great charges and trouble) because he would not take his Oath there was one, that he with Leech, might make two Witnesses to prove the same. How he made the Rich pay for the rich, when he knew not how to come by their Estates, which is contrary to the Law; which saith, they must be poor, and unable to pay, when their Fines are to be Levied upon those that are able. How he Fin'd one for another, that died 3 or 4 years agoe. How he commanded violently to Break open Doors to take Distress, which is not required by the Law, with many other Illegal Actions, that he's deeply guilty of. I have Omitted likewise the horrid Injustice of Sir Peter Prideux, in his dealings with Mr. Collings of Mary Otery, a Non-conformist.

A Post-script.

I have made as severe a Scrutiny, and Critical a Search as I possibly could, into the Actions of all these fore mentioned Justices, so far as they do respect the Execution of the Act against Conventicles; and most of them appears Extra, or Contra-Legal. Let but some of the words of the Act be examin'd and rationally weigh'd, in the Balance of an unprejudiced Mind, and Judgment, and then the Illegality of their Proceedings, and Convictions will appear. The Number of Persons prohibited to Meet is Five, of, or above 16 years of Age; the Ground of this Prohibition, is their Congregating or Assembling themselves together under Colour, or pretence of any Exercise of Religion in other manner, than according to the Liturgie, or Practice of the Church of England, &c. Page the 4th. This being so, two things must be proved. First, That there is some Exercise of Religion among them. Secondly, That it's dissonant, and disagreeable both from the Liturgy, and Practice of the Church of England. Which words are Copulative, and not disjunctive, so that if they be guilty of the one abstracted from the other, they cannot be liable to the penalty of the Law: Which things were scarce ever prov'd, but only taken for granted, neither is it facil, or possible to prove it, unless some should be Eye, or Ear-witnesses from the beginning to the end of the Meeting. If two Witnesses should come to a Conventicle, when a Non-conformist is Praying or Preaching, &c. they must Swear there was no Divine Exercise consonant to the Liturgy, &c. before they came; or they'l prove nothing to warrant a Legal, and rational Conviction, and if there be singing of Psalms (such as are allowed by Authority, and used publickly) Preaching, and Praying before Sermon, it's according to the practice of the Church of England, without a Worship agreeable to the Liturgy; yet are they not Obnoxious to punishment, because they are not guilty of the Neglect of both, the words being as was said before, Copulative, and not Disjunctive. The Law against Conventicles, determines a three-fold way for proof to a Magistrate, to proceed unto a Conviction upon, either confession of the Party; or Oath of two Witnesses, or by notorious Evidence, and Circumstance of Fact. Page 4. The two former, these Justices never had, for Informers cannot be Witnesses, being parties concern'd (to assert this, is as absurd as to affirm a man may be a witness, for himself, or in his own cause) the last they seldom or never had; that is such a Notorious Evidence and Cir-

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circumstance of Fact, as is as clear and valid a proof, as the two former, for such must it be, it is not what men judge to be such from Malice, or Avarice, but what is so in it self, for what is only productive of meer Probabilities, or Hasty conjectures is no proof. If a Law were made, that whosoever goes into a Bawdy-House, or Stews, so commit Uncleanneſs (that Reigning, predominate Bestial ſin among us) ſhall be liable to ſuch a puniſhment, upon proof made any of theſe three ways. I believe there are ſome, very eager and zealous to Execute the Law againſt Conventicles, that would think it a very irrational and unjuſt thing to Conviſt a perſon of this Crime, either by his going into ſuch a place, though he was not ſeen come out, or by being ſeen to come out, though not to go in, or both, or only by being found there without any Immodest poſture: This is the very Caſe as to that notorious Evidence, and Circumſtance of Fact, that moſt of our Juſtices make the proof of a Conventicle. Sometimes ſeveral Chriſtians may meet together, without any ſet and ſolemn Exercise of Religion, and though they might intend it, yet many times it may be prevented; but going in, or coming out of a Houſe, or being found there, is made a Circumſtance evincing enough with our Juſtices. If it be Objected by way of defence, that this Act and all Clauſes therein contained, ſhall be conſtrued moſt Largely, and beneficially for the Suppreſſing of Conventicles, and for the Juſtification and Encouragement of all perſons to be employed in the Execution thereof, as page 12. of the Act. It may be Answered, That this muſt be underſtood either ſo far as things are, or perſons Act agreeable to the Rules of Common Juſtice, or Right Reaſon (though all things of that Nature be not Expreſſed in the Act) or elſe we muſt ſuppoſe his Majeſty, and our Legislators did intend and deſign nothing hereby but Wrong and Injuſtice, which is not to be aſſerted.

I hope all theſe things in Conjunction together ſeriously weighed, and conſidered, may rationally plead for his Majeſties interpoſing betwixt his Diſtreſſed, and Oppreſſed Subjects, and the Violence and Injuſtice of their Oppreſſors. If their Purſes (who are ſo many, and ſo conſiderable a wealthy party in this Nation) be thus Evacuated, and Exhausted, and ſuch a conſtant Devoration and Conſumption, made of their Eſtates by thoſe country Caterpillers (which brings not the leaſt profit of Advantage to his Majeſty, nor affords any Support to his Government,) How is it poſſible that he ſhould have adequate and proportion-

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portionable Supplies of Money to his wants? Can men make Brick without Straw? Give Money when they have it not? Or what Encouragement can Thousands have (whom this Act concerns) to improve to the utmost, their Estates by Trading, when they know to what Gredy Hounds they shall be made a Prey. That they who are, or may (by the blessing of God upon their lawful Endeavours) be Rich, shall be reduced to miserable Poverty, to enrich others who are miserably poor, and who will not continue long Rich. I think it's not difficult to demonstrate how the violent Execution of the Act against Conventicles hath more Enervated, and decayed Trade (which will ever prove the strongest, and firmest Pillar for Government to be supported with, and to project, or assert the contrary, will terminate Indefeatably at last in a political Solecism) hath pauperized and Impoverished more persons, and Families in this Nation, than any one thing (yea more than many things that may be judged Burdensome and Exhausting) for these many years. How loud a Cry should this have in the Ears of his Majesty for some Indulgence, and a Relaxation of the rigorous Execution of such a Law against so many Thousands of his faithful Subjects, and to blunt the Edg of this Sword that Cuts in pieces, and mangles so many Members of that Body, that he is the Royal, and Supream Head of; which with much Facility may be done, not only by Vacating and Repealing the Law, or superceding it by his own Prerogative, but as he hath all Executive power of Law, to hinder the Execution of it in a way Subservient to the Malice, penury, and Avarice of many of his Justices in the County; which may be done, and yet it remain a Law, by declaring what is the proper Genuine sense, and Construction of words and phrases in it, and then to suffer it to be Executed in no other manner than what's agreeable to the same. As that though there be never so many under 16 years of age, yet it's no Conventicle when there are no more than four of, or above that age, besides the Household. That no Informers shall be Authentick witnesses: that it shall be no Conventicle unless it can be prov'd, that the Exercise of Religion from the beginning to the end thereof, was in other manner than according both to the Liturgie, and practice of the Church of England. That nothing shall be judg'd a notorious Evidence, and circumstance of Fact, but what can be as certain and clear a proof of the Fact, as the Confession of the party, or Oath of two witnesses, so as still to be consonant that Axiom, Posita Circumstantia

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stantia rei, ponitur res ipsa (and not to leave it to every Malicious, Indigent, and Avaricious Justice, to judge what he pleaseth to be such an Evidence, and Circumstance) that no Constables, Church-wardens, &c. shall be liable to the Mult of 5 l. for not executing Warrants for Distresses, seeing the Act doth not express it, page 6. (the penalty of 5 l. referring onely to such Officers Neglects of Informing some Magistrate when he knows, or is credibly Inform'd, Conventicles are held within his Precincts, Parish, or Limits, and shall not endeavour the conviction of the parties, pag. 11. of the Act against Conventicles) that when it is said pag. 12. That this Act, and all Clauses therein contained, shall be construed most largely, and beneficially for the Suppressing of Conventicles, and for the Justification and Encouragement of all persons to be employed in the Execution thereof: It must be understood so far as it's agreeable to other Laws, Rules of Justice and Reason. That no Justice of the peace, or chief Magistrate, shall be subject to the Beck of every Informer, to go to any House, or place where he is Inform'd a Conventicle is, or else forfeit the Sum of 100. pounds, the Law not Expressing it, and that having paid one 100 l. he can forfeit no more by the Law. And that whoever forfeits one 20 l. for any House, Out-house, Barn, Yard, or Backside, shall be liable to no other forfeiture ever after, by vertue of this Act, it not expressing it. That Fields not being mentioned in the Act, the Owner of them cannot forfeit 20 l. pag. 8. Notwithstanding, meeting in such places, make a Conventicle, pag. 4. That no Meetings in publick Churches for Religious Exercises, shall be adjudg'd Conventicles (a Conventicle being properly a Meeting of persons together clandestinely, and in some private place for an evil end) for though the Law saith, pag. 4. That if the Assembly be in a House where there is a Family Inhabiting, or if it be in a House, Field or place, where there is no Family Inhabiting, then the Magistrate upon proof shall punish them: Yet the word place, though it seem to be a Generical term, it cannot Rationally comprehend a publick Church, for we must suppose a Law not to be made against Reason. And it's highly Irrational to judge a Conventicle (according to the proper Notion, and common acceptation of it) which is in so publick a place, that every one that pleaseth may come, and both see and hear what is done and transacted; the word place must therefore be such as a House, Field, &c. that it is private in opposition to one of publick use, by Authoritative appointment. And lastly, That no Meetings be punished by Law, but

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at which, under pretence of tender consciences, Seditious Sectaries, and other disloyal persons contrive Insurrections (for it's unreasonable any should have the least favour, that are not of a peaceable Deportment under his Majesties Government.) pag. 3. And that it may be known whether any such wicked contrivances be at them, let there be particular places for all Parties, and persuasions to Meet in, and let his Majesty appoint whom he shall judge most fit, to be present at their Meetings, to hear and what they Preach, Pray, and Do, and make a true report to him: How far his Majesty by his Supremacy in Ecclesiastical Affairs (which the Act against Conventicles doth not Invalidate, or Avoid) can Relieve his Subjects distress other ways, than by the Execution of this Act, his own Royal Wisdom can sufficient Dictate to him; but if he shall judge it fit to do both the former, and latter, who can be so Disloyal, or Disingenuous, as to deny him Heart, Hand, or Purse, and not clap their Hands, and cordially say, God Save the King.

The Epoche of that *Maxime* (No Bishop, no King) is the Reign of that profoundly Wise, and Learned King James, and no doubt it was then a true political Maxim, because of that general Interest they had in this Nation, whereby they could afford considerable Support to the Crown of England: And it's very requisite that the Supreme Magistracy of any Christian Nation, should have a Catholick Interest in the Clergy, because of the swaying and prevailing Influence it hath usually upon Consciences, when it's honourable in the Eyes of the people; but when their Interest is so debilitated, and languisheth, being at a low Ebb, and becoming a waning Moon, and setting Sun in the Affections, and esteem of the people, that are not considerable for Wisdom and Wealth, and whereof there are many thousands that did once Revere, and Venerate them) that they are Incapacitated to do that service to Royal Majesty, that formerly they could. And there is another kind of Clergy, whose Interest is far more considerable among the people: Why should it not become a new Maxim in our English Politicks (Maxims of State many times varying with present Circumstances, and Emergences, unto which they are to be accounted few, being calculated for all times, unless such as have their foundation in Universal truth) No Non-conformist, no King. Let but his Majesty try further, how far they can be Serviceable to him, and grant them their publick Freedom, and Liberty, to serve Lord, and he will find that with all Unanimity, and a Joynt-concurring consent, they will say, O King. Live for Ever.

F I N I S.

